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House File 140 - Introduced

HOUSE FILE 140

BY FISHER, SALMON, KLEIN,  
WATTS, SHEETS, NUNN, HOLT,  
BRANHAGEN, and R. TAYLOR

A BILL FOR

1 An Act relating to student discipline and student conduct  
2 policies adopted by school districts.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSE 1670YH (6) 86  
kh/rj



Iowa General Assembly  
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H.F. 140

1 Section 1. Section 279.66, Code 2015, is amended to read as  
2 follows:

3 **279.66 Discipline and personal conduct standards.**

4 1. The board of directors of a school district shall review  
5 and modify existing policies related to student discipline  
6 and student conduct that are designed to promote responsible  
7 behavior on school property and at school functions in  
8 order that the policy shall govern the conduct of students,  
9 teachers and other school personnel, and visitors; provide  
10 opportunities for students to exercise self-discipline  
11 and practice cooperative classroom behavior; and encourage  
12 students and practitioners to model fairness, equity, and  
13 respect. The policy shall specify the responsibilities of  
14 students, parents and guardians, and practitioners in creating  
15 an atmosphere where all individuals feel a sense of respect,  
16 safety, and belonging, and shall set forth the consequences for  
17 unacceptable behavior. The policy shall be published in the  
18 student handbook.

19 2. a. The policy adopted by the board of directors of a  
20 school district under subsection 1 shall also provide that  
21 simulating a firearm or weapon while participating in play with  
22 other students, or wearing clothing or accessories depicting  
23 a firearm or weapon, or expressing an opinion regarding a  
24 right guaranteed by the second amendment to the Constitution  
25 of the United States is not grounds for disciplinary action or  
26 referral to the criminal justice or juvenile justice system.  
27 Simulating a firearm or weapon while participating in play with  
28 other students, includes but is not limited to the following:

29 (1) Brandishing an item that is shaped or fabricated to  
30 simulate the shape of a firearm or weapon, or brandishing  
31 an item under the pretense that it is a firearm or weapon,  
32 including but not limited to items such as pencils, pens, or  
33 other writing or drawing implements to simulate a firearm or  
34 weapon.

35 (2) Possessing a toy firearm or toy weapon that is two

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1 inches or less in overall length.

2 (3) Using a finger or hand to simulate a firearm or weapon.

3 (4) Vocalizing an imaginary firearm or weapon.

4 (5) Drawing a picture or possessing an image of a firearm  
5 or weapon.

6 b. (1) Notwithstanding paragraph "a", a student may  
7 be subject to disciplinary action if simulating a firearm  
8 or weapon while participating in play with other students  
9 substantially disrupts student learning or causes bodily harm  
10 to another person or places another person in reasonable fear  
11 of bodily harm. The severity of consequences imposed upon a  
12 student, including referral to the criminal justice or juvenile  
13 justice system, must be proportionate to the severity of the  
14 infraction and consistent with school board policies for  
15 similar infractions. If a student is disciplined for such  
16 conduct, the school principal or designee must contact the  
17 student's parent or guardian.

18 (2) Disciplinary action resulting from a student's clothing  
19 or accessories shall be determined pursuant to section 279.58  
20 or 280.22, as appropriate, unless the wearing of the clothing  
21 or accessory causes a substantial disruption to student  
22 learning, in which case the infraction may be addressed in a  
23 manner that is consistent with district school board policies  
24 for similar infractions. The mere fact that another person is  
25 offended by the image or words on clothing or an accessory does  
26 not constitute a substantial disruption to student learning.  
27 This subparagraph does not prohibit a public school from  
28 adopting a school uniform policy pursuant to section 279.58.

29 EXPLANATION

30 The inclusion of this explanation does not constitute agreement with  
31 the explanation's substance by the members of the general assembly.

32 This bill relates to the discipline and personal conduct  
33 policies adopted by the board of directors of a school district  
34 by requiring that such policies provide that simulating a  
35 firearm or weapon while participating in play with other

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1 students, or wearing clothing or accessories depicting a  
2 firearm or weapon, or expressing an opinion regarding a right  
3 guaranteed by the second amendment to the Constitution of  
4 the United States is not grounds for disciplinary action or  
5 referral to the criminal justice or juvenile justice system.

6     The bill establishes that allowed simulation of a firearm or  
7 weapon while participating in play with other students includes  
8 but is not limited to brandishing an item that is shaped or  
9 fabricated to simulate the shape of a firearm or weapon or  
10 pretending that the item brandished is a weapon, possessing a  
11 toy firearm or toy weapon that is two inches or less in overall  
12 length, using a finger or hand to simulate a firearm or weapon,  
13 vocalizing an imaginary firearm or weapon, or drawing a picture  
14 or possessing an image of a firearm or weapon.

15     However, under the bill, a student may be subject to  
16 disciplinary action if such play substantially disrupts student  
17 learning, causes bodily harm to another person, or places  
18 another person in reasonable fear of bodily harm. The severity  
19 of consequences imposed upon a student, including referral  
20 to the criminal justice or juvenile justice system, must be  
21 proportionate to the severity of the infraction. If a student  
22 is disciplined for such conduct, the school principal or  
23 designee must contact the student's parent or guardian.

24     Disciplinary action resulting from a student's clothing  
25 or accessories shall be determined pursuant to the school  
26 district's dress code or by Code section 280.22, which provides  
27 for student rights and limitations with regard to the exercise  
28 of free expression, as appropriate. If the clothing or  
29 accessory causes a substantial disruption to student learning,  
30 the infraction may be addressed in a manner that is consistent  
31 with district school board policies for similar infractions.  
32 The bill establishes that the mere fact that another person is  
33 offended by the image or words on clothing or an accessory does  
34 not constitute a substantial disruption to student learning.  
35 The bill also provides that these provisions do not prohibit a

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1 public school from adopting a school uniform policy.



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House File 141 - Introduced

HOUSE FILE 141

BY WILLS, KLEIN, BAUDLER,  
WATTS, JONES, BRANHAGEN,  
HOLT, HEARTSILL, FISHER,  
SALMON, NUNN, and KOOIKER

A BILL FOR

1 An Act mandating drug testing of applicants for and certain  
2 recipients of assistance under the family investment  
3 program.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:





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1 Section 1. NEW SECTION. 239B.2D Drug testing for  
2 applicants.

3 1. For the purposes of this section, unless the context  
4 otherwise requires:

5 a. *"Confirmed positive test result"* means the results of  
6 a urine, oral fluid, or blood test in which the level of  
7 controlled substances or their metabolites in the sample  
8 analyzed meets or exceeds nationally accepted standards for  
9 determining detectable levels of controlled substances as  
10 adopted by the federal substance abuse and mental health  
11 services administration. If nationally accepted standards for  
12 oral fluid tests have not been adopted by the federal substance  
13 abuse and mental health services administration, the standards  
14 for determining detectable levels of controlled substances for  
15 purposes of determining a confirmed positive test result shall  
16 be the same standard that has been established by the federal  
17 food and drug administration for the measuring instrument used  
18 to perform the oral fluid test.

19 b. *"Licensed substance abuse treatment program"* means an  
20 inpatient or outpatient substance abuse treatment program  
21 licensed by the department of public health under chapter 125.

22 c. *"Sample"* means a sample from the human body capable  
23 of revealing the presence of controlled substances, or their  
24 metabolites, which shall include only urine, saliva, or blood.

25 2. a. The drug testing requirements of this section apply  
26 to the following applicants for and recipients of assistance  
27 under this chapter:

28 (1) Each adult parent, guardian, or specified relative who  
29 is included in the applicant family, including both parents of  
30 a two-parent family, or an individual who may be exempt from  
31 work activity requirements due to the age of the youngest child  
32 or who may be exempt from work activity requirements under the  
33 PROMISE JOBS program.

34 (2) A minor parent who is not required to live with a  
35 parent, guardian, or other adult caretaker in accordance with

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1 this chapter.

2 (3) A recipient of assistance who provided a written  
3 acknowledgment of the drug testing requirements of this  
4 section at the time of application for assistance and for whom  
5 there is information indicating a significant likelihood the  
6 recipient is using a controlled substance, as determined by the  
7 department, shall be subject to random drug testing.

8 b. Dependent children under the age of eighteen years are  
9 exempt from the drug testing requirements of this section.

10 c. The department shall require a drug test that is similar  
11 to a drug test as a condition of employment under section 730.5  
12 to screen the persons subject to this section for the presence  
13 of controlled substances. The person is responsible for the  
14 cost of the person's drug test.

15 3. a. A person who is subject to this section is ineligible  
16 to receive assistance under this chapter if the person does not  
17 participate in the required drug testing.

18 b. A person who is subject to this section is ineligible  
19 to receive assistance under this chapter if the person has a  
20 confirmed positive test result for the presence of either of  
21 the following:

22 (1) A substance listed in schedule I under section 124.204.

23 (2) A substance listed in schedule II, III, or IV under  
24 chapter 124 that was not prescribed for the person.

25 c. The period of ineligibility for an applicant or recipient  
26 who is ineligible for assistance under paragraph "b" is one year  
27 after the date of the confirmed positive test result.

28 4. The department shall do all of the following in  
29 implementing this section:

30 a. (1) Provide notice of drug testing to each person who is  
31 subject to this section at the time of application. The notice  
32 must advise the person that drug testing will be conducted as a  
33 condition for receiving assistance under this chapter and that  
34 the person must bear the cost of testing. The applicant shall  
35 be advised that the required drug testing may be avoided if the

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1 applicant does not complete or withdraws the application for  
2 assistance.

3     (2) Advise each person to be tested, before the test  
4 is conducted, that the person may, but is not required to,  
5 inform the agent administering the test of any prescription or  
6 over-the-counter medication the person is taking.

7     (3) Require each person to be tested to sign a written  
8 acknowledgment that the person has received and understood the  
9 notice and advice provided under this paragraph "a".

10    *b.* Assure each person being tested a reasonable degree  
11 of dignity while producing and submitting a sample for drug  
12 testing, consistent with the department's need to ensure the  
13 reliability of the sample.

14    *c.* Specify circumstances under which a person with a  
15 confirmed positive test result has the right to take one or  
16 more additional tests.

17    *d.* Inform a person who has a confirmed positive test result  
18 and is deemed ineligible for assistance that the person may  
19 not reapply for assistance until one year after the date of  
20 the confirmed positive test result unless the person meets the  
21 requirements of paragraph "f". If the person has a subsequent  
22 confirmed positive test result, the person shall be ineligible  
23 to receive assistance for three years after the date of the  
24 subsequent result unless the person meets the requirements of  
25 paragraph "f".

26    *e.* Provide any person with a confirmed positive test result  
27 with a list of licensed substance abuse treatment programs  
28 available in the area in which the person resides. Neither the  
29 department nor the state is responsible for providing or paying  
30 for substance abuse treatment as part of the drug testing  
31 conducted under this section.

32    *f.* A person with a confirmed positive test result who is  
33 denied assistance under this chapter may reapply for assistance  
34 after six months if the person can document the successful  
35 completion of a licensed substance abuse treatment program.

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1 A person who has met the requirements of this paragraph and  
2 reapplies for assistance must also pass the initial drug test  
3 required under subsection 2. Any drug test conducted while the  
4 person is undergoing substance abuse treatment must meet the  
5 requirements for a drug test under subsection 2. The cost of  
6 any drug testing or substance abuse treatment provided under  
7 this subsection shall be the responsibility of the person being  
8 tested or receiving treatment. A person with a confirmed  
9 positive test result from the drug test required under  
10 subsection 2 may reapply for assistance under this paragraph  
11 only once.

12 5. If an applicant or recipient parent is deemed ineligible  
13 for assistance as a result of having a confirmed positive test  
14 result from a drug test conducted under this section, all of  
15 the following apply:

16 a. The eligibility of the applicant's or recipient's  
17 dependent child for assistance is not affected.

18 b. An appropriate protective payee shall be designated  
19 to receive assistance on behalf of the dependent child.  
20 The parent may choose to designate an individual as the  
21 protective payee. The individual designated by the parent as  
22 the protective payee must be a specified relative or other  
23 immediate family member unless such family member is not  
24 available or the family member declines the designation. In  
25 which case another individual, approved by the department,  
26 shall be designated as the protective payee. The individual  
27 must also undergo drug testing before being approved to be  
28 the protective payee. If the designated individual has a  
29 confirmed positive test result, the designated individual shall  
30 be ineligible to be the protective payee.

31 6. The department shall adopt rules to implement this  
32 section.

33 EXPLANATION

34 The inclusion of this explanation does not constitute agreement with  
35 the explanation's substance by the members of the general assembly.

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1     This bill requires drug testing of applicants for and  
2 certain recipients of assistance under the family investment  
3 program (FIP) in new Code section 239B.2D. The program  
4 provides cash assistance and employment-related services to  
5 low-income families with children under the federal temporary  
6 assistance for needy families (TANF) block grant. The  
7 department of human services administers the program and block  
8 grant for this state.

9     The bill utilizes the following terms that are defined in  
10 Code section 239B.1:

11     "Applicant" means a person who files an application for  
12 participation in FIP under Code chapter 239B.

13     "Assistance" means a FIP payment.

14     "Family" means a family unit that includes at least one  
15 child and at least one parent or other specified relative of  
16 the child.

17     "Minor parent" means an applicant or participant parent who  
18 is less than 18 years of age and has never been married.

19     "PROMISE JOBS program" or "JOBS program" means the promoting  
20 independence and self-sufficiency through employment job  
21 opportunities and basic skills program, a part of FIP.

22     "Specified relative" means a person who is, or was at any  
23 time, a relative of an applicant or participant child, by means  
24 of blood relationship, marriage, or adoption, or is a spouse of  
25 a relative listed in the definition.

26     The bill defines "confirmed positive test result", "licensed  
27 substance abuse treatment program", and "sample".

28     The drug testing requirement applies to each applicant for  
29 FIP assistance who is an adult parent, guardian, or specified  
30 relative who is included in the applicant family, including  
31 both parents of a two-parent family, or an individual who may  
32 be exempt from work activity requirements due to the age of the  
33 youngest child or who may be exempt from work activity under  
34 the PROMISE JOBS program. The requirement also applies to  
35 each minor parent applicant who is not required to live with

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1 a parent, guardian, or other adult caretaker. In addition,  
2 a recipient of assistance who accepted the drug testing  
3 requirements at the time of application and for whom there is  
4 information indicating a significant likelihood the recipient  
5 is using a controlled substance is subject to random drug  
6 testing. Dependent children under the age of 18 years are  
7 exempt from the drug testing requirements. The department is  
8 directed to require a drug test of each person who is subject  
9 to the requirements to screen for the presence of controlled  
10 substances. The person is responsible for the cost of the drug  
11 test.

12 A person subject to the requirement who does not participate  
13 in the required drug testing is ineligible for cash assistance  
14 through FIP. A person who has a confirmed positive test result  
15 is ineligible for one year unless the test result was for a  
16 controlled substance for which the person has a prescription.

17 The department is required to do all of the following  
18 in administering the drug testing requirement: implement  
19 notification provisions; allow for additional testing following  
20 a confirmed positive test result; apply a three-year period  
21 of ineligibility if a person reapplies but has a subsequent  
22 confirmed positive test result; provide a listing of licensed  
23 substance abuse treatment programs available in the area of a  
24 person's residence if the person has a confirmed positive test  
25 result; and allow for a person who has a confirmed positive  
26 test result to reapply one time after six months if the person  
27 provides documentation of completing a licensed substance abuse  
28 treatment program within six months of the confirmed positive  
29 test result and passes another drug test.

30 If a parent is deemed ineligible for assistance as a result  
31 of having a confirmed positive test result, the dependent child  
32 remains eligible for assistance and a protective payee may be  
33 designated by the parent to receive the assistance on behalf of  
34 the child. If a specified relative or other immediate family  
35 member declines to be designated, the department must designate

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1 the protective payee. The protective payee is then subject  
2 to drug testing before being approved to receive assistance  
3 on behalf of the child. A protective payee with a confirmed  
4 positive test result is ineligible to receive assistance on  
5 behalf of the child.

6 The department is required to adopt rules to implement the  
7 new requirements.



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**House File 142 - Introduced**

HOUSE FILE 142  
BY FRY

**A BILL FOR**

1 An Act relating to a reduction in the application fee for a  
2 license to marry based upon the completion of premarital  
3 counseling.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TL5B 1922YH (2) 86  
pf/nh





Iowa General Assembly  
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H.F. 142

1 Section 1. Section 331.605, subsection 1, paragraph g, Code  
2 2015, is amended to read as follows:

3 g. (1) For Except as provided in subparagraph (2), for  
4 filing an application for the license to marry, thirty-five  
5 dollars, which includes payment for one certified copy of the  
6 original certificate of marriage, to be issued following filing  
7 of the original certificate of marriage, four dollars of which  
8 shall be retained by the county pursuant to paragraph "f".

9 (2) For filing an application for a license to marry, five  
10 dollars, if the applicants submit and the county registrar  
11 approves the certificate of completion of premarital counseling  
12 pursuant to section 595.3B, which includes payment for one  
13 certified copy of the original certificate of marriage, to  
14 be issued following filing of the original certificate of  
15 marriage, four dollars of which shall be retained by the county  
16 pursuant to paragraph "f".

17 (3) For issuing an application for an order of the district  
18 court authorizing the validation of a license to marry before  
19 the expiration of three days from the date of issuance of the  
20 license, five dollars. The district court shall authorize the  
21 early validation of a marriage license without the payment  
22 of any fees imposed in this paragraph upon showing that the  
23 applicant is unable to pay the fees.

24 Sec. 2. NEW SECTION. 595.3B Application — premarital  
25 counseling.

26 1. An application form for a marriage license shall have  
27 attached a certificate form to be used by the parties to  
28 document completion of premarital counseling by the parties.  
29 The certificate shall be completed by the parties and signed  
30 by the person who provided the premarital counseling. The  
31 certificate shall require provision of all of the following  
32 information:

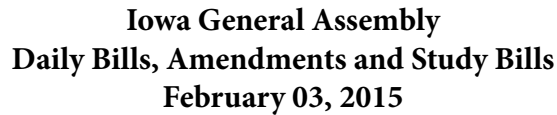
33 a. The name of the person providing the premarital  
34 counseling and the person's signature verifying completion of  
35 the premarital counseling by the parties.

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1        *b.* The number of hours of premarital counseling completed.  
2        *c.* Whether the premarital counseling was provided through  
3 individual instruction or a premarital course, and whether the  
4 counseling was provided in-person, via electronic media, or  
5 through a combination of these methods.  
6        2. Only premarital counseling provided by the following  
7 persons meets the requirement of provision of premarital  
8 counseling under this section:  
9        *a.* A person ordained or designated as a leader of a party's  
10 religious faith or the person's designee.  
11        *b.* A person licensed to practice psychology pursuant to  
12 chapter 154B or licensed to practice psychology in any other  
13 state.  
14        *c.* A person licensed to practice social work pursuant to  
15 chapter 154C or licensed to practice social work in any other  
16 state.  
17        *d.* A person licensed to practice marital and family therapy  
18 pursuant to chapter 154D or licensed to practice marital and  
19 family therapy in any other state.  
20        3. If the parties applying for a license to marry complete  
21 the premarital counseling certificate and the certificate is  
22 approved, the parties shall pay the license fee of five dollars  
23 pursuant to section 331.605.

25           The inclusion of this explanation does not constitute agreement with  
26           the explanation's substance by the members of the general assembly.

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1 and specifies the persons who meet the requirements to provide  
2 premarital education.



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**House File 143 - Introduced**

HOUSE FILE 143

BY WORTHAN

(COMPANION TO LSB 1917SS BY  
ALLEN)

**A BILL FOR**

1 An Act increasing the amount of the fees retained by a county  
2 treasurer for the issuance or renewal of driver's licenses.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSE 1917HH (3) 86  
ns/nh



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H.F. 143

1 Section 1. Section 321M.9, subsection 1, Code 2015, is  
2 amended to read as follows:

3 1. *Fees to counties.* Notwithstanding any other provision  
4 in the Code to the contrary, the county treasurer of a county  
5 authorized to issue driver's licenses under this chapter  
6 shall retain for deposit in the county general fund ~~seven~~  
7 ten dollars of fees received for each issuance or renewal of  
8 driver's licenses and nonoperator's identification cards, but  
9 shall not retain any moneys for the issuance of any persons  
10 with disabilities identification devices. The five dollar  
11 processing fee charged by a county treasurer for collection of  
12 a civil penalty under section 321.218A, 321A.32A, or 321J.17  
13 shall be retained for deposit in the county general fund. The  
14 county treasurer shall remit the balance of fees and all civil  
15 penalties to the department.

16 EXPLANATION

17 The inclusion of this explanation does not constitute agreement with  
18 the explanation's substance by the members of the general assembly.

19 Current law provides that a county treasurer shall retain \$7  
20 of the fees received for each issuance or renewal of a driver's  
21 license or a nonoperator's identification card. The bill  
22 increases the amount retained by the county to \$10.



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House File 144 - Introduced

HOUSE FILE 144  
BY JORGENSEN

A BILL FOR

1 An Act relating to state and local funding for transportation  
2 by increasing the rate of the excise taxes on motor fuel  
3 and certain special fuel, providing for the deposit in the  
4 road use tax fund of certain wagering tax receipts and  
5 revenues from city automated traffic enforcement systems,  
6 and requiring the department of transportation to implement  
7 efficiency measures and to prioritize certain primary  
8 highway projects.  
9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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ns/sc



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H.F. 144

DIVISION I

MOTOR FUEL EXCISE TAX

Section 1. Section 452A.3, subsection 1, unnumbered paragraph 1, Code 2015, is amended to read as follows:

Except as otherwise provided in this section and in this division, until June 30, ~~2015~~ 2017, this subsection shall apply to the excise tax imposed on each gallon of motor fuel used for any purpose for the privilege of operating motor vehicles in this state.

Sec. 2. Section 452A.3, subsection 1, paragraph b, Code 2015, is amended to read as follows:

b. ~~The~~ For the period beginning July 1, 2015, and ending June 30, 2016, the rate for the excise tax shall be as follows:

(1) If the distribution percentage is not greater than fifty percent, the rate shall be ~~nineteen~~ twenty-two cents for ethanol blended gasoline and ~~twenty~~ twenty-three cents for motor fuel other than ethanol blended gasoline.

(2) If the distribution percentage is greater than fifty percent but not greater than fifty-five percent, the rate shall be ~~nineteen~~ twenty-two cents for ethanol blended gasoline and ~~twenty~~ twenty-three and one-tenth cents for motor fuel other than ethanol blended gasoline.

(3) If the distribution percentage is greater than fifty-five percent but not greater than sixty percent, the rate shall be ~~nineteen~~ twenty-two cents for ethanol blended gasoline and ~~twenty~~ twenty-three and three-tenths cents for motor fuel other than ethanol blended gasoline.

(4) If the distribution percentage is greater than sixty percent but not greater than sixty-five percent, the rate shall be ~~nineteen~~ twenty-two cents for ethanol blended gasoline and ~~twenty~~ twenty-three and five-tenths cents for motor fuel other than ethanol blended gasoline.

(5) If the distribution percentage is greater than sixty-five percent but not greater than seventy percent, the rate shall be ~~nineteen~~ twenty-two cents for ethanol blended

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1 gasoline and ~~twenty~~ twenty-three and seven-tenths cents for  
2 motor fuel other than ethanol blended gasoline.

3 (6) If the distribution percentage is greater than seventy  
4 percent but not greater than seventy-five percent, the rate  
5 shall be ~~nineteen~~ twenty-two cents for ethanol blended gasoline  
6 and ~~twenty-one~~ twenty-four cents for motor fuel other than  
7 ethanol blended gasoline.

8 (7) If the distribution percentage is greater than  
9 seventy-five percent but not greater than eighty percent,  
10 the rate shall be ~~nineteen~~ twenty-two and three-tenths cents  
11 for ethanol blended gasoline and ~~twenty~~ twenty-three and  
12 eight-tenths cents for motor fuel other than ethanol blended  
13 gasoline.

14 (8) If the distribution percentage is greater than eighty  
15 percent but not greater than eighty-five percent, the rate  
16 shall be ~~nineteen~~ twenty-two and five-tenths cents for ethanol  
17 blended gasoline and ~~twenty~~ twenty-three and seven-tenths cents  
18 for motor fuel other than ethanol blended gasoline.

19 (9) If the distribution percentage is greater than  
20 eighty-five percent but not greater than ninety percent, the  
21 rate shall be ~~nineteen~~ twenty-two and seven-tenths cents  
22 for ethanol blended gasoline and ~~twenty~~ twenty-three and  
23 four-tenths cents for motor fuel other than ethanol blended  
24 gasoline.

25 (10) If the distribution percentage is greater than ninety  
26 percent but not greater than ninety-five percent, the rate  
27 shall be ~~nineteen~~ twenty-two and nine-tenths cents for ethanol  
28 blended gasoline and ~~twenty~~ twenty-three and one-tenth cents  
29 for motor fuel other than ethanol blended gasoline.

30 (11) If the distribution percentage is greater than  
31 ninety-five percent, the rate shall be ~~twenty~~ twenty-three  
32 cents for ethanol blended gasoline and ~~twenty~~ twenty-three  
33 cents for motor fuel other than ethanol blended gasoline.

34 Sec. 3. Section 452A.3, subsection 1, Code 2015, is amended  
35 by adding the following new paragraph:

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1     NEW PARAGRAPH.   c.   For the period beginning July 1, 2016,  
2 and ending June 30, 2017, the rate for the excise tax shall be  
3 as follows:

4     (1)   If the distribution percentage is not greater than  
5 fifty percent, the rate shall be twenty-five cents for ethanol  
6 blended gasoline and twenty-six cents for motor fuel other than  
7 ethanol blended gasoline.

8     (2)   If the distribution percentage is greater than fifty  
9 percent but not greater than fifty-five percent, the rate  
10 shall be twenty-five cents for ethanol blended gasoline and  
11 twenty-six and one-tenth cents for motor fuel other than  
12 ethanol blended gasoline.

13    (3)   If the distribution percentage is greater than  
14 fifty-five percent but not greater than sixty percent, the rate  
15 shall be twenty-five cents for ethanol blended gasoline and  
16 twenty-six and three-tenths cents for motor fuel other than  
17 ethanol blended gasoline.

18    (4)   If the distribution percentage is greater than sixty  
19 percent but not greater than sixty-five percent, the rate  
20 shall be twenty-five cents for ethanol blended gasoline and  
21 twenty-six and five-tenths cents for motor fuel other than  
22 ethanol blended gasoline.

23    (5)   If the distribution percentage is greater than  
24 sixty-five percent but not greater than seventy percent, the  
25 rate shall be twenty-five cents for ethanol blended gasoline  
26 and twenty-six and seven-tenths cents for motor fuel other than  
27 ethanol blended gasoline.

28    (6)   If the distribution percentage is greater than seventy  
29 percent but not greater than seventy-five percent, the rate  
30 shall be twenty-five cents for ethanol blended gasoline and  
31 twenty-seven cents for motor fuel other than ethanol blended  
32 gasoline.

33    (7)   If the distribution percentage is greater than  
34 seventy-five percent but not greater than eighty percent, the  
35 rate shall be twenty-five and three-tenths cents for ethanol

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1 blended gasoline and twenty-six and eight-tenths cents for  
2 motor fuel other than ethanol blended gasoline.

3 (8) If the distribution percentage is greater than eighty  
4 percent but not greater than eighty-five percent, the rate  
5 shall be twenty-five and five-tenths cents for ethanol blended  
6 gasoline and twenty-six and seven-tenths cents for motor fuel  
7 other than ethanol blended gasoline.

8 (9) If the distribution percentage is greater than  
9 eighty-five percent but not greater than ninety percent, the  
10 rate shall be twenty-five and seven-tenths cents for ethanol  
11 blended gasoline and twenty-six and four-tenths cents for motor  
12 fuel other than ethanol blended gasoline.

13 (10) If the distribution percentage is greater than ninety  
14 percent but not greater than ninety-five percent, the rate  
15 shall be twenty-five and nine-tenths cents for ethanol blended  
16 gasoline and twenty-six and one-tenth cents for motor fuel  
17 other than ethanol blended gasoline.

18 (11) If the distribution percentage is greater than  
19 ninety-five percent, the rate shall be twenty-six cents for  
20 ethanol blended gasoline and twenty-six cents for motor fuel  
21 other than ethanol blended gasoline.

22 Sec. 4. Section 452A.3, subsections 2 and 6, Code 2015, are  
23 amended to read as follows:

24 2. Except as otherwise provided in this section and in this  
25 division, after June 30, ~~2015~~ 2017, an excise tax of ~~twenty~~  
26 twenty-six cents is imposed on each gallon of motor fuel used  
27 for any purpose for the privilege of operating motor vehicles  
28 in this state.

29 6. a. For the privilege of operating motor vehicles or  
30 aircraft in this state, there is imposed an excise tax on the  
31 use of special fuel in a motor vehicle or aircraft.

32 (1) ~~The~~ For the period beginning July 1, 2015, and ending  
33 June 30, 2016, the tax rate on special fuel for diesel engines  
34 of motor vehicles is ~~twenty-two~~ twenty-five and one-half cents  
35 per gallon. After June 30, 2016, the tax rate on special

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1 fuel for diesel engines of motor vehicles is twenty-eight and  
2 one-half cents per gallon.

3 (2) The rate of tax on special fuel for aircraft is three  
4 cents per gallon.

5 (3) On all other special fuel, unless otherwise specified in  
6 this section, the per gallon rate is the same as the motor fuel  
7 tax.

8 b. Indelible dye meeting United States environmental  
9 protection agency and internal revenue service regulations must  
10 be added to fuel before or upon withdrawal at a terminal or  
11 refinery rack for that fuel to be exempt from tax and the dyed  
12 fuel may be used only for an exempt purpose.

13 DIVISION II

14 WAGERING TAX RECEIPTS

15 Sec. 5. Section 8.57, subsection 5, paragraph f, Code 2015,  
16 is amended to read as follows:

17 f. (1) (a) For the fiscal year beginning July 1, 2015, and  
18 for each fiscal year thereafter, of the wagering tax receipts  
19 received pursuant to sections 99D.17 and 99F.11, the first  
20 fifty million dollars shall be deposited in the road use tax  
21 fund created in section 312.1.

22 (b) For the fiscal year beginning July 1, ~~2013~~ 2015, and for  
23 each fiscal year thereafter until the principal and interest on  
24 all bonds issued by the treasurer of state pursuant to section  
25 12.87 are paid, as determined by the treasurer of state, of  
26 the wagering tax receipts received pursuant to sections 99D.17  
27 and 99F.11, the ~~first~~ next fifty-five million dollars shall  
28 be deposited in the revenue bonds debt service fund created  
29 in section 12.89, and the next three million seven hundred  
30 fifty thousand dollars shall be deposited in the revenue bonds  
31 federal subsidy holdback fund created in section 12.89A.

32 ~~(b)~~ (c) For the fiscal year beginning July 1, ~~2013~~ 2015,  
33 and for each fiscal year through the fiscal year beginning July  
34 1, 2019, of the wagering tax receipts received pursuant to  
35 sections 99D.17 and 99F.11, the next fifteen million dollars

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1 shall be deposited in the vision Iowa fund created in section  
2 12.72.

3 ~~(e)~~ (d) For the fiscal year beginning July 1, ~~2013~~ 2015,  
4 and for each fiscal year thereafter, of the wagering tax  
5 receipts received pursuant to sections 99D.17 and 99F.11, the  
6 next sixty-six million dollars shall be deposited in the Iowa  
7 skilled worker and job creation fund created in section 8.75.

8 ~~(d)~~ (e) For the fiscal year beginning July 1, ~~2013~~ 2015,  
9 and for each fiscal year thereafter, the total moneys in excess  
10 of the moneys deposited under this paragraph "f" in the road  
11 use tax fund, the revenue bonds debt service fund, the revenue  
12 bonds federal subsidy holdback fund, the vision Iowa fund,  
13 and the Iowa skilled worker and job creation fund shall be  
14 deposited in the rebuild Iowa infrastructure fund and shall be  
15 used as provided in this section, notwithstanding section 8.60.

16 (2) For the fiscal year beginning July 1, ~~2013~~ 2015, and  
17 for each fiscal year thereafter, after the deposit of moneys  
18 directed to be deposited in the road use tax fund, as provided  
19 in subparagraph (1), subparagraph division (a), if the total  
20 amount of the wagering tax receipts received pursuant to  
21 sections 99D.17 and 99F.11, and to be deposited pursuant to  
22 subparagraph (1), subparagraph division ~~(a)~~ (b), is less  
23 than the total amount of moneys directed to be deposited in  
24 the revenue bonds debt service fund and the revenue bonds  
25 federal subsidy holdback fund in the fiscal year pursuant to  
26 subparagraph (1), subparagraph division ~~(a)~~ (b), the difference  
27 shall be paid from moneys deposited in the beer and liquor  
28 control fund created in section 123.53 in the manner provided  
29 in section 123.53, subsection 3.

30 (3) For the fiscal year beginning July 1, ~~2013~~ 2015, and  
31 for each fiscal year thereafter, after the deposit of moneys  
32 directed to be deposited in the road use tax fund, as provided  
33 in subparagraph (1), subparagraph division (a), and after the  
34 deposit of moneys directed to be deposited in the revenue  
35 bonds debt service fund and the revenue bonds federal subsidy

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1 holdback fund, as provided in subparagraph (1), subparagraph  
2 division ~~(a)~~ (b), if the total amount of the wagering tax  
3 receipts received pursuant to sections 99D.17 and 99F.11, and  
4 to be deposited pursuant to subparagraph (1), subparagraph  
5 division ~~(b)~~ (c), is less than the total amount of moneys  
6 directed to be deposited in the vision Iowa fund in the fiscal  
7 year pursuant to subparagraph (1), subparagraph division ~~(b)~~  
8 (c), the difference shall be paid from lottery revenues in the  
9 manner provided in section 99G.39, subsection 3.

10 Sec. 6. Section 312.1, subsection 1, Code 2015, is amended  
11 by adding the following new paragraph:

12 NEW PARAGRAPH. *De.* Revenue derived from the wagering tax  
13 receipts received pursuant to sections 99D.17 and 99F.11, to  
14 the extent provided under section 8.57, subsection 5, paragraph  
15 "f".

16 DIVISION III

17 AUTOMATED ENFORCEMENT REVENUE

18 Sec. 7. NEW SECTION. **384.3B Automated traffic enforcement**  
19 **program account.**

20 1. A city that uses one or more automated traffic  
21 enforcement systems to issue civil citations for violations of  
22 traffic ordinances classified as municipal infractions shall  
23 deposit revenues received from such citations in an automated  
24 traffic enforcement program account established within the  
25 city's general fund.

26 2. *a.* Moneys in the account shall be used to pay the costs  
27 of operating the city's automated traffic enforcement program.

28 *b.* Fifty percent of the moneys in the account in excess of  
29 the amount necessary for the purpose specified in paragraph  
30 "a" shall be remitted to the treasurer of state monthly and  
31 deposited in the road use tax fund created in section 312.1.  
32 Notwithstanding section 8.33, moneys transferred under this  
33 subsection shall not revert to the general fund of the state.

34 *c.* Moneys in the account in excess of the amount necessary  
35 for the purposes specified in paragraphs "a" and "b" may be

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1 used as otherwise authorized by law for revenues collected from  
2 municipal infraction citations.

3 3. For the purposes of this section, "*automated traffic*  
4 *enforcement system*" means a device with one or more sensors  
5 working in conjunction with one of the following:

6 a. An official traffic-control signal, as defined in section  
7 321.1, to produce recorded images of motor vehicles entering an  
8 intersection against a steady circular red light.

9 b. A speed measuring device to produce recorded images of  
10 motor vehicles traveling at a prohibited rate of speed.

11 c. A device to produce recorded images of motor vehicles  
12 violating a railroad grade crossing signal light, as described  
13 in section 321.342.

14 d. Any official traffic-control device, as defined  
15 in section 321.1, if failure to comply with the official  
16 traffic-control device constitutes a moving violation under  
17 chapter 321.

18 DIVISION IV

19 HIGHWAY MAINTENANCE PRIORITY

20 Sec. 8. Section 307.24, Code 2015, is amended to read as  
21 follows:

22 **307.24 Administration of highways.**

23 The department's administrator of highways is responsible  
24 for the planning, design, construction, and maintenance of  
25 the state primary highways and shall administer chapters 306  
26 to 320 and perform other duties as assigned by the director.  
27 The administration of highways shall be organized to provide  
28 administration for urban systems, for secondary roads,  
29 and other categories of administration as necessary. The  
30 administrator of highways shall prioritize the completion  
31 of ongoing, unfinished projects related to construction and  
32 maintenance of the state primary highways and four-lane divided  
33 roadways over the commencement of new projects related to  
34 construction and maintenance of the state primary highways and  
35 four-lane divided roadways, notwithstanding any provision of

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1 law to the contrary.

2 DIVISION V

3 EFFICIENCY MEASURES

4 Sec. 9. DEPARTMENT OF TRANSPORTATION EFFICIENCY MEASURES

5 — REPORT. The department of transportation shall implement  
6 efficiency measures in an effort to save \$50 million that would  
7 otherwise be appropriated from the road use tax fund or primary  
8 road fund for department operations. The department shall  
9 submit a report in an electronic format to the co-chairpersons  
10 of the joint appropriations subcommittee on transportation,  
11 infrastructure, and capitals, the chairpersons of the senate  
12 and house standing committees on transportation, the department  
13 of management, and the legislative services agency regarding  
14 the implementation of such efficiency measures. The report  
15 shall provide details of the one-time and long-term initiatives  
16 undertaken by the department, and indicate the results of such  
17 initiatives. The report shall be submitted by January 1, 2016.

18 EXPLANATION

19 The inclusion of this explanation does not constitute agreement with  
20 the explanation's substance by the members of the general assembly.

21 This bill relates to increasing revenue to, and prioritizing  
22 spending of, the road use tax fund.

23 DIVISION I — MOTOR FUEL EXCISE TAX. The bill increases  
24 the rate of the excise tax on ethanol blended gasoline, motor  
25 fuel other than ethanol blended gasoline, and special fuel for  
26 diesel engines of motor vehicles by 3 cents beginning July 1,  
27 2015, and by an additional 3 cents beginning July 1, 2016. The  
28 bill provides that the distribution percentage formula for  
29 determining the difference in the excise tax imposed on ethanol  
30 blended gasoline and motor fuel other than ethanol blended  
31 gasoline, which is due to expire on June 30, 2015, will expire  
32 on June 30, 2017. After the distribution percentage formula  
33 expires, the bill provides that the excise tax on each gallon  
34 of motor fuel shall be 26 cents.

35 DIVISION II — WAGERING TAX RECEIPTS. The bill provides

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1 that, beginning July 1, 2015, of the wagering tax receipts  
2 received pursuant to Code sections 99D.17 and 99F.11 and  
3 deposited pursuant to Code section 8.57, subsection 5, the  
4 first \$50 million shall be deposited in the road use tax fund.  
5 This provision takes priority over the deposit of moneys  
6 into the revenue bonds debt service fund, the revenue bonds  
7 federal subsidy holdback fund, the vision Iowa fund, the Iowa  
8 skilled worker and job creation fund, and the rebuild Iowa  
9 infrastructure fund.

10 DIVISION III — AUTOMATED ENFORCEMENT REVENUE. The bill  
11 requires that 50 percent of the revenue generated from the  
12 use of automated traffic enforcement systems be deposited in  
13 the road use tax fund. The bill defines "automated traffic  
14 enforcement system" as a device with one or more sensors  
15 working in conjunction with an official traffic-control signal,  
16 a speed measuring device, a device that records images of motor  
17 vehicles violating a railroad grade crossing signal light, or  
18 any official traffic-control device if failure to comply with  
19 the traffic-control device would constitute a moving violation  
20 if cited under state law.

21 The bill provides that a city with an automated traffic  
22 enforcement system must establish a separate account in the  
23 city's general fund for the deposit of revenues collected  
24 from citations issued through the use of automated traffic  
25 enforcement systems. Moneys in the account shall be used first  
26 to pay the costs of the city's automated traffic enforcement  
27 system. Fifty percent of the remaining moneys shall be  
28 deposited in the road use tax fund. The remaining moneys in  
29 the account may be transferred as authorized by law for revenue  
30 collected from municipal infraction citations.

31 DIVISION IV — HIGHWAY MAINTENANCE PRIORITY. The bill  
32 requires the department of transportation's (DOT) administrator  
33 of highways to prioritize the completion of in-progress highway  
34 construction and maintenance projects over the commencement of  
35 new projects.

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1     DIVISION V — EFFICIENCY MEASURES. The bill requires the DOT  
2 to implement efficiency measures in order to save \$50 million  
3 in expenditures on department operations. The department shall  
4 submit a report in an electronic format to the co-chairpersons  
5 of the joint appropriations subcommittee on transportation,  
6 infrastructure, and capitals, the chairpersons of the senate  
7 and house standing committees on transportation, the department  
8 of management, and the legislative services agency regarding  
9 the implementation of such efficiency measures. The report  
10 shall provide details of the one-time and long-term initiatives  
11 undertaken by the department, and indicate the results of such  
12 initiatives. The report shall be submitted by January 1, 2016.



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**House File 145 - Introduced**

HOUSE FILE 145  
BY HEARTSILL

**A BILL FOR**

1 An Act providing for an annual transfer of revenue to the road  
2 use tax fund.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSE 1353YH (1) 86  
ns/nh



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1 Section 1. NEW SECTION. 312.12 Transfer from general fund.

2 There is transferred from the general fund of the state to  
3 the road use tax fund for the fiscal year beginning July 1,  
4 2015, and each fiscal year thereafter, an amount equal to two  
5 percent of the adjusted revenue estimate, as defined in section  
6 8.54, for the fiscal year in which the transfer is made.  
7 Funds which are unencumbered and unobligated prior to being  
8 transferred under this section are subject to modification  
9 pursuant to section 8.31, subsection 5.

10 EXPLANATION

11 The inclusion of this explanation does not constitute agreement with  
12 the explanation's substance by the members of the general assembly.

13 This bill provides for an annual transfer of funds from the  
14 general fund of the state to the road use tax fund. The amount  
15 to be transferred is 2 percent of the adjusted revenue estimate  
16 for the fiscal year in which the transfer is made. The amount  
17 is subject to across-the-board reductions, but only to the  
18 extent such funds are unencumbered and unobligated at the time  
19 the reductions are ordered by the governor.



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**House File 146 - Introduced**

HOUSE FILE 146  
BY COMMITTEE ON STATE  
GOVERNMENT

(SUCCESSOR TO HSB 50)

**A BILL FOR**

1 An Act concerning gambling game prohibited activities and  
2 making penalties applicable.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TL5B 1162HV (1) 86  
ec/nh



1 Section 1. Section 99F.15, subsection 4, paragraph d, Code  
2 2015, is amended to read as follows:

5     Sec. 2. Section 99F.15, subsection 4, paragraph h, Code  
6     2015, is amended by striking the paragraph.

9       NEW SUBSECTION.   5A.   *a.*   A person who places, removes,  
10 increases, or decreases a bet after acquiring knowledge of the  
11 outcome of the gambling game which is the subject of the bet or  
12 to aid a person in acquiring the knowledge for the purpose of  
13 placing, removing, increasing, or decreasing a bet contingent  
14 on that outcome commits the offense of unlawful betting.

19       (2) A person is guilty of an aggravated misdemeanor if  
20 the person commits the offense of unlawful betting where the  
21 potential winnings from the bet exceed five hundred dollars in  
22 value but do not exceed one thousand dollars in value.

27 (4) A person is guilty of a simple misdemeanor if the person  
28 commits the offense of unlawful betting where the potential  
29 winnings from the bet do not exceed two hundred dollars in  
30 value.

31 c. Two convictions of the offense of unlawful betting as  
32 provided in this subsection shall result in the person being  
33 barred for life from excursion gambling boats and gambling  
34 structures under the jurisdiction of the commission.

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1           The inclusion of this explanation does not constitute agreement with  
2           the explanation's substance by the members of the general assembly.

3       This bill concerns prohibited activities and penalties  
4 relative to gambling games on excursion gambling boats and  
5 gambling structures.

6       Code section 99F.15(4)(d) is amended to provide that  
7 cheating at a gambling game includes committing any act which  
8 alters the outcome of the game. A violation of cheating at a  
9 gambling game is a class "D" felony.

10      Code section 99F.15(4)(h) currently provides that a person  
11 who places a bet after acquiring knowledge, not available to  
12 all players, of the outcome of the gambling game which is the  
13 subject of the bet commits a class "D" felony regardless of  
14 the amount of the bet and is barred for life from excursion  
15 gambling boats and gambling structures after a single offense.  
16 The bill strikes this provision and creates new subsection 5A  
17 concerning the offense of unlawful betting. The bill provides  
18 that a person who places, removes, increases, or decreases a  
19 bet after acquiring knowledge of the outcome of the gambling  
20 game which is the subject of the bet commits the offense of  
21 unlawful betting. The bill then provides that a person is  
22 guilty of a class "D" felony if the potential winnings from the  
23 unlawful bet exceed \$1,000 in value, an aggravated misdemeanor  
24 if the potential winnings from the unlawful bet exceed \$500 in  
25 value but do not exceed \$1,000 in value, a serious misdemeanor  
26 if the potential winnings from the unlawful bet exceed \$200 in  
27 value but do not exceed \$500 in value, or a simple misdemeanor  
28 if the potential winnings from the unlawful bet do not exceed  
29 \$200 in value. The bill further provides that two convictions  
30 of the offense of unlawful betting shall result in the person  
31 being barred for life from excursion gambling boats and  
32 gambling structures.



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House Resolution 8 - Introduced

HOUSE RESOLUTION NO. 8

BY H. MILLER, ABDUL-SAMAD, BERRY, THEDE, KELLEY,  
LANDON, FISHER, VANDER LINDEN, JORGENSEN, WATTS,  
HAGENOW, DEYOE, SODERBERG, WORTHAN, MOORE, BYRNES,  
BALTIMORE, MEYER, MOMMSEN, HOLT, BROWN-POWERS,  
GAINES, SANDS, HUSEMAN, PETTENGILL, HEDDENS,  
FINKENAUER, STUTSMAN, WINCKLER, ISENHART, LYKAM,  
COHOON, DOLECHECK, McCONKEY, ANDERSON, GASSMAN,  
T. TAYLOR, HUNTER, JACOBY, NUNN, WESSEL-KROESCHELL,  
HANSON, OLSON, OLDSOON, WOLFE, HALL, BEARINGER,  
KAUFMANN, WINDSCHITL, SEXTON, KLEIN, RUFF,  
RUNNING-MARQUARDT, STECKMAN, BACON, BAXTER,  
GUSTAFSON, FORBES, KRESSIG, DAWSON, ROGERS, COWNIE,  
OURTH, PAUSTIAN, DUNKEL, STAED, KEARNS, GASKILL,  
PRICHARD, SMITH, LENSING, BENNETT, MASCHER, SALMON,  
MAXWELL, L. MILLER, FRY, UPMEYER, FORRISTALL,  
HANUSA, JONES, PAULSEN, DRAKE, KOESTER, STANERSON,  
BRANHAGEN, RIZER, HEARTSILL, WILLS, GRASSLEY,  
SHEETS, R. TAYLOR, CARLSON, KOOIKER, HEIN, HEATON,

BEST, and HIGHFILL

1 A Resolution recognizing the 50th anniversary of the  
2 milestone achieved by the first African Americans to  
3 serve in the Iowa General Assembly, the Honorable  
4 Willie Stevenson Glanton and the Honorable James H.  
5 Jackson.  
6 WHEREAS, in 1880, the Iowa Constitution was amended  
7 to allow African American men to serve in the Iowa  
8 General Assembly; and  
9 WHEREAS, in 1926, the Iowa Constitution was  
10 amended to allow women to serve in the Iowa General



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1 Assembly; and

2 WHEREAS, in 1965, Willie Stevenson Glanton and James  
3 H. Jackson became the first African Americans to serve  
4 in the Iowa General Assembly as members of the Iowa  
5 House of Representatives during the 61st Iowa General  
6 Assembly; and

7 WHEREAS, 2015 marks the 50th anniversary of this  
8 important milestone in the history of Iowa and the Iowa  
9 General Assembly; and

10 WHEREAS, the House of Representatives should  
11 celebrate and inform all Iowans of the history of the  
12 Iowa General Assembly and its members, especially  
13 members who represent historic firsts and exemplify the  
14 ideal of the citizen legislator; and

15 WHEREAS, both Willie Stevenson Glanton and James H.  
16 Jackson distinguished themselves during the 61st Iowa  
17 General Assembly, working on important legislation on  
18 civil rights and housing discrimination while serving  
19 on several committees, including appropriations and  
20 education; and

21 WHEREAS, Willie Stevenson Glanton was a trailblazer  
22 throughout her career as she was the second African  
23 American woman to be admitted to the Iowa Bar, the  
24 first African American woman to become an assistant  
25 county attorney in Polk County, the first African  
26 American attorney in the Iowa office of the United  
27 States Small Business Administration, and the first  
28 African American member of the Des Moines City Council,  
29 all culminating in her induction into the Iowa Women's  
30 Hall of Fame; and

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1       WHEREAS, James H. Jackson, a native of Waterloo  
2 and graduate of the University of Northern Iowa,  
3 distinguished himself throughout his career in both the  
4 public and private sectors, teaching in the Waterloo  
5 public school district and later becoming a pioneer for  
6 other African Americans in corporate America, holding  
7 senior management positions with Pepsi-Cola Bottling  
8 Company, ITT, Citibank, and CIGNA; NOW THEREFORE,  
9       BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That  
10 the House of Representatives honors and recognizes  
11 the important contributions both Willie Stevenson  
12 Glanton and James H. Jackson made to this state as the  
13 first African American members of the Iowa House of  
14 Representatives and as trailblazers and pioneers in  
15 both the public and private sectors throughout their  
16 careers.



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**House Study Bill 101 - Introduced**

HOUSE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE ON  
HUMAN RESOURCES BILL BY  
CHAIRPERSON MILLER)

**A BILL FOR**

- 1 An Act relating to the licensure of acupuncturists.
- 2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 147.1, subsection 6, Code 2015, is  
2 amended to read as follows:

3 6. "*Profession*" means medicine and surgery, podiatry,  
4 osteopathic medicine and surgery, practice as a physician  
5 assistant, psychology, chiropractic, nursing, dentistry,  
6 dental hygiene, dental assisting, optometry, speech pathology,  
7 audiology, pharmacy, physical therapy, physical therapist  
8 assisting, occupational therapy, occupational therapy  
9 assisting, respiratory care, cosmetology arts and sciences,  
10 barbering, mortuary science, marital and family therapy, mental  
11 health counseling, social work, dietetics, massage therapy,  
12 athletic training, acupuncture and oriental medicine, nursing  
13 home administration, hearing aid dispensing, sign language  
14 interpreting or transliterating, orthotics, prosthetics, or  
15 pedorthics.

16 Sec. 2. Section 147.2, subsection 1, Code 2015, is amended  
17 to read as follows:

18 1. A person shall not engage in the practice of medicine  
19 and surgery, podiatry, osteopathic medicine and surgery,  
20 psychology, chiropractic, physical therapy, physical  
21 therapist assisting, nursing, dentistry, dental hygiene,  
22 dental assisting, optometry, speech pathology, audiology,  
23 occupational therapy, occupational therapy assisting,  
24 orthotics, prosthetics, pedorthics, respiratory care,  
25 pharmacy, cosmetology arts and sciences, barbering, social  
26 work, dietetics, marital and family therapy or mental health  
27 counseling, massage therapy, mortuary science, athletic  
28 training, acupuncture and oriental medicine, nursing home  
29 administration, hearing aid dispensing, or sign language  
30 interpreting or transliterating, or shall not practice as a  
31 physician assistant, unless the person has obtained a license  
32 for that purpose from the board for the profession.

33 Sec. 3. Section 147.13, subsection 1, Code 2015, is amended  
34 to read as follows:

35 1. For medicine and surgery, osteopathic medicine and

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1 surgery, and acupuncture and oriental medicine, the board of  
2 medicine.

3 Sec. 4. Section 148E.1, Code 2015, is amended by adding the  
4 following new subsections:

5 NEW SUBSECTION. 1A. "*Acupuncture needle*" means a solid  
6 core instrument including but not be limited to acupuncture  
7 needles, dry-needling needles, dermal needles, intradermal  
8 needles, press tacks, plum blossom needles, prismatic needles,  
9 and disposable lancets.

10 NEW SUBSECTION. 1B. "*Acupuncture point*" means a specific  
11 anatomical location on the human body that serves as a  
12 treatment site for using acupuncture.

13 NEW SUBSECTION. 2A. "*Ashi acupuncture point*" means an  
14 acupuncture point that is located according to tenderness upon  
15 palpation.

16 NEW SUBSECTION. 3A. "*Licensee*" means a person holding a  
17 license to practice acupuncture and oriental medicine granted  
18 by the board pursuant to this chapter.

19 NEW SUBSECTION. 3B. "*Meridians*" means connected points  
20 across the human anatomy that affect a specific organ or other  
21 part of the body.

22 NEW SUBSECTION. 3C. "*Oriental medicine*" means the use of  
23 any of the following:

24 a. Moxibustion, cupping, thermal methods, magnets, gua sha  
25 scraping techniques, acupatches, herbal poultices, hot and cold  
26 packs, electromagnetic wave therapy, light and color therapy,  
27 sound therapy, or therapy lasers.

28 b. Massage, acupressure, reflexology, shiatsu and tui na  
29 massage, or manual stimulation, including stimulation by an  
30 instrument or mechanical device that does not pierce the skin.

31 c. Herbal medicine and dietary supplements, including those  
32 of plant, mineral, animal, and nutraceutical origin.

33 d. Lifestyle advice and counseling including but not limited  
34 to diet, exercise, meditation, breathing techniques, mind-body  
35 techniques, and spiritual guidance.

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1 e. Any other adjunctive service or procedure that is  
2 clinically appropriate based on the licensee's training  
3 as approved by the national certification commission for  
4 acupuncture and oriental medicine or the accreditation  
5 commission for acupuncture and oriental medicine.

6 Sec. 5. Section 148E.1, subsections 1, 2, and 4, Code 2015,  
7 are amended to read as follows:

8 1. "Acupuncture" means a form of health care developed  
9 from traditional and modern oriental medical concepts that  
10 employs acupuncture, oriental medical diagnosis and treatment,  
11 and adjunctive therapies and diagnostic techniques, for the  
12 promotion, maintenance, and restoration of health, improvement  
13 of bodily function, and the prevention of disease.

14 2. "Acupuncturist" means a person who is engaged in the  
15 practice of acupuncture and oriental medicine.

16 4. "Practice of acupuncture and oriental medicine" means:  
17 ~~the insertion of acupuncture needles and the application of~~  
18 ~~moxibustion to specific areas of the human body based upon~~  
19 ~~oriental medical diagnosis as a primary mode of therapy.~~  
20 ~~Adjunctive therapies within the scope of acupuncture~~  
21 ~~may include manual, mechanical, thermal, electrical, and~~  
22 ~~electromagnetic treatment, and the recommendation of dietary~~  
23 ~~guidelines and therapeutic exercise based on traditional~~  
24 ~~oriental medicine concepts~~

25 a. The stimulation or piercing of the skin with an  
26 acupuncture needle for any of the following purposes:

27 (1) To evoke a therapeutic physiological response, either  
28 locally or distally to the area of insertion or stimulation.

29 (2) To relieve pain or treat the neuromusculoskeletal  
30 system.

31 (3) To stimulate ashi points to relieve pain and  
32 dysfunction.

33 (4) To promote, maintain, and restore health, improve  
34 bodily function, and prevent disease.

35 (5) To control and regulate the flow and balance of energy

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1 in the body according to the practice of acupuncture and  
2 oriental medicine.

3 (6) To stimulate the body according to auricular, hand,  
4 nose, face, foot, or scalp acupuncture therapy.

5 (7) To use acupuncture needles with or without the use of  
6 herbs, electric current, or application of heat.

7 b. The use of oriental medicine.

8 Sec. 6. Section 148E.2, subsection 1, paragraph b, Code  
9 2015, is amended to read as follows:

10 b. Successful completion of a three-year postsecondary  
11 training program or acupuncture college program which is  
12 accredited by, in candidacy for accreditation by, or which  
13 meets the standards of the ~~national accreditation commission~~  
14 ~~for schools and colleges of acupuncture and oriental medicine~~  
15 accreditation commission for acupuncture and oriental medicine.

16 Sec. 7. Section 148E.3, Code 2015, is amended by adding the  
17 following new subsection:

18 NEW SUBSECTION. 3. A licensed professional utilizing  
19 oriental medicine techniques as long as the licensed  
20 professional acts within the professional's lawful scope of  
21 practice.

22 Sec. 8. Section 148E.6, subsection 7, Code 2015, is amended  
23 by striking the subsection.

24 EXPLANATION

25 The inclusion of this explanation does not constitute agreement with  
26 the explanation's substance by the members of the general assembly.

27 This bill expands the definition of acupuncture and adds  
28 definitions related to the practice of acupuncture and oriental  
29 medicine. The bill updates the name of the accreditation  
30 organization for the practice of acupuncture and oriental  
31 medicine.

32 Currently, an acupuncturist must provide notice to new  
33 patients that a license to practice acupuncture does not  
34 authorize an acupuncturist to practice medicine and surgery  
35 and that the services of an acupuncturist must not be

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1 regarded as diagnosis, treatment, opinion, or advice from a  
2 physician. The bill eliminates that notice requirement. An  
3 acupuncturist would still be required to provide notice of the  
4 acupuncturist's qualifications, licensure status, compliance  
5 with the board's rules, contact information, and fee schedule.



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**House Study Bill 102 - Introduced**

HOUSE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE ON  
HUMAN RESOURCES BILL BY  
CHAIRPERSON MILLER)

**A BILL FOR**

1 An Act relating to third-party payment of services provided by  
2 physical therapists, occupational therapists, and speech  
3 pathologists.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1     Section 1. NEW SECTION. 514C.30 Services provided  
2 by a physical therapist, occupational therapist, or speech  
3 pathologist.

4     1. Notwithstanding the uniformity of treatment requirements  
5 of section 514C.6, a policy, contract, or plan providing  
6 for third-party payment or prepayment of health or medical  
7 expenses shall not impose a copayment or coinsurance amount  
8 on an insured for services provided by a physical therapist  
9 licensed pursuant to chapter 148A, by an occupational therapist  
10 licensed pursuant to chapter 148B, or by a speech pathologist  
11 licensed pursuant to 154F that is greater than the copayment or  
12 coinsurance amount imposed on the insured for services provided  
13 by a person engaged in the practice of medicine and surgery  
14 or osteopathic medicine and surgery under chapter 148 for the  
15 same or a similar diagnosed condition even if a different  
16 nomenclature is used to describe the condition for which the  
17 services are provided.

18     2. This section applies to the following classes of  
19 third-party payment provider policies, contracts, or plans  
20 delivered, issued for delivery, continued, or renewed in this  
21 state on or after July 1, 2015:

22     a. Individual or group accident and sickness insurance  
23 providing coverage on an expense-incurred basis.

24     b. An individual or group hospital or medical service  
25 contract issued pursuant to chapter 509, 514, or 514A.

26     c. An individual or group health maintenance organization  
27 contract regulated under chapter 514B.

28     d. A plan established pursuant to chapter 509A for public  
29 employees.

30     e. An organized delivery system licensed by the director of  
31 public health.

32     3. This section shall not apply to accident-only,  
33 specified disease, short-term hospital or medical, hospital  
34 confinement indemnity, credit, dental, vision, Medicare  
35 supplement, long-term care, basic hospital and medical-surgical

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1 expense coverage as defined by the commissioner, disability  
2 income insurance coverage, coverage issued as a supplement  
3 to liability insurance, workers' compensation or similar  
4 insurance, or automobile medical payment insurance.

5 EXPLANATION

6 The inclusion of this explanation does not constitute agreement with  
7 the explanation's substance by the members of the general assembly.

8 This bill provides that a policy, contract, or plan  
9 providing for third-party payment or prepayment of health or  
10 medical expenses shall not impose a copayment or coinsurance  
11 amount on an insured for services provided by a physical  
12 therapist, occupational therapist, or speech pathologist that  
13 is greater than the copayment or coinsurance amount imposed on  
14 the insured for services rendered by a person engaged in the  
15 practice of medicine and surgery or osteopathic medicine and  
16 surgery for the same or a similar diagnosed condition even if a  
17 different nomenclature is used to describe the condition for  
18 which the services are provided.

19 The bill applies to specified individual and group policies,  
20 contracts, and plans that are issued for delivery, continued,  
21 or renewed in this state on or after July 1, 2015.



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House Study Bill 103 - Introduced

HOUSE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE ON  
HUMAN RESOURCES BILL BY  
CHAIRPERSON MILLER)

A BILL FOR

1 An Act relating to licensure of anesthesiologist assistants,  
2 providing for fees, and making penalties applicable.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 147.1, subsections 3 and 6, Code 2015,  
2 are amended to read as follows:

3 3. "*Licensed*" or "*certified*", when applied to a physician  
4 and surgeon, podiatric physician, osteopathic physician and  
5 surgeon, anesthesiologist assistant, physician assistant,  
6 psychologist, chiropractor, nurse, dentist, dental hygienist,  
7 dental assistant, optometrist, speech pathologist, audiologist,  
8 pharmacist, physical therapist, physical therapist assistant,  
9 occupational therapist, occupational therapy assistant,  
10 orthotist, prosthetist, pedorthist, respiratory care  
11 practitioner, practitioner of cosmetology arts and sciences,  
12 practitioner of barbering, funeral director, dietitian, marital  
13 and family therapist, mental health counselor, social worker,  
14 massage therapist, athletic trainer, acupuncturist, nursing  
15 home administrator, hearing aid dispenser, or sign language  
16 interpreter or transliterator means a person licensed under  
17 this subtitle.

18 6. "*Profession*" means medicine and surgery, podiatry,  
19 osteopathic medicine and surgery, anesthesiologist assisting,  
20 practice as a physician assistant, psychology, chiropractic,  
21 nursing, dentistry, dental hygiene, dental assisting,  
22 optometry, speech pathology, audiology, pharmacy, physical  
23 therapy, physical therapist assisting, occupational therapy,  
24 occupational therapy assisting, respiratory care, cosmetology  
25 arts and sciences, barbering, mortuary science, marital  
26 and family therapy, mental health counseling, social work,  
27 dietetics, massage therapy, athletic training, acupuncture,  
28 nursing home administration, hearing aid dispensing, sign  
29 language interpreting or transliterating, orthotics,  
30 prosthetics, or pedorthics.

31 Sec. 2. Section 147.2, subsection 1, Code 2015, is amended  
32 to read as follows:

33 1. A person shall not engage in the practice of medicine  
34 and surgery, podiatry, osteopathic medicine and surgery,  
35 anesthesiologist assisting, psychology, chiropractic, physical

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1 therapy, physical therapist assisting, nursing, dentistry,  
2 dental hygiene, dental assisting, optometry, speech pathology,  
3 audiology, occupational therapy, occupational therapy  
4 assisting, orthotics, prosthetics, pedorthics, respiratory  
5 care, pharmacy, cosmetology arts and sciences, barbering,  
6 social work, dietetics, marital and family therapy or mental  
7 health counseling, massage therapy, mortuary science, athletic  
8 training, acupuncture, nursing home administration, hearing aid  
9 dispensing, or sign language interpreting or transliterating,  
10 or shall not practice as a physician assistant, unless the  
11 person has obtained a license for that purpose from the board  
12 for the profession.

13 Sec. 3. Section 147.13, subsection 1, Code 2015, is amended  
14 to read as follows:

15 1. For medicine and surgery, osteopathic medicine and  
16 surgery, anesthesiologist assisting, and acupuncture, the board  
17 of medicine.

18 Sec. 4. Section 147.74, Code 2015, is amended by adding the  
19 following new subsection:

20 NEW SUBSECTION. 23A. An anesthesiologist assistant  
21 licensed under chapter 148G may use the words "anesthesiologist  
22 assistant" after the person's name.

23 Sec. 5. NEW SECTION. 148G.1 **Definitions.**

24 1. "*Anesthesiologist*" means a physician who has completed  
25 a residency in anesthesiology approved by the American  
26 board of anesthesiology or the American osteopathic board of  
27 anesthesiology.

28 2. "*Anesthesiologist assistant*" means a person who meets all  
29 of the following conditions:

30 a. Has graduated from an anesthesiologist assistant program  
31 accredited by the American medical association's committee on  
32 allied health education and accreditation or by its successor  
33 agency.

34 b. Has passed the certifying examination administered by  
35 the national commission for certification of anesthesiologist

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1 assistants.

2     *c.* Has active certification by the national commission for  
3 certification of anesthesiologist assistants.

4     *d.* Provides health care services delegated by a licensed  
5 anesthesiologist.

6     3. "*Applicant*" means an individual who seeks to become  
7 licensed as an anesthesiologist assistant.

8     4. "*Board*" means the board of medicine created in section  
9 147.13.

10    5. "*Continuing education*" means the offering of instruction  
11 or information to license holders for the purpose of  
12 maintaining or increasing skills necessary for the safe and  
13 competent practice of anesthetic care.

14    6. "*Immediately available*" means in the same physical  
15 location or facility in which the services are provided.

16    7. "*Physician*" means an individual licensed pursuant to  
17 chapter 148 to practice medicine and surgery or osteopathic  
18 medicine and surgery.

19    Sec. 6. NEW SECTION. **148G.2 License required to practice.**

20    1. Except as provided in subsection 2, a person shall not  
21 practice as an anesthesiologist assistant unless the person  
22 holds a current, valid license issued pursuant to this chapter  
23 to practice as an anesthesiologist assistant.

24    2. Subsection 1 shall not apply to any of the following:

25    *a.* A person participating in a training program leading  
26 toward certification by the national commission for  
27 certification of anesthesiologist assistants, as long as the  
28 person is supervised by an anesthesiologist.

29    *b.* An individual participating in a hospital residency  
30 program in preparation to practice as an anesthesiologist.

31    *c.* Any person who is otherwise authorized by section 148G.13  
32 to perform any of the activities that an anesthesiologist  
33 assistant is authorized to perform.

34    Sec. 7. NEW SECTION. **148G.3 License application**  
35 **requirements.**

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1 1. A person shall apply to the board for a license under  
2 this chapter upon such forms and in such manner as may be  
3 prescribed by the board by rule and shall pay the application  
4 fee set by the board by rule. The application fee shall cover  
5 the costs of issuing the license and shall not be refundable.

6 2. The application shall contain a statement that it is  
7 made under oath or affirmation and that its representations  
8 are true and correct to the best knowledge and belief of  
9 the person signing the application. The application shall  
10 include proof of certification after passing the certifying  
11 examination administered by the national commission for  
12 certification of anesthesiologist assistants or its successor,  
13 the date of the certification, any identification numbers, and  
14 any other information necessary for the board to verify the  
15 certification.

16 3. The board, upon approval of the application, shall issue  
17 a license to the applicant.

18 Sec. 8. NEW SECTION. 148G.4 Temporary license.

19 Notwithstanding any provision of this chapter to the  
20 contrary, the board may issue a temporary license to practice  
21 as an anesthesiologist assistant to an applicant who has  
22 taken the certifying examination described in section 148G.1,  
23 subsection 2, and is awaiting the results. A temporary license  
24 may be issued upon the payment of a temporary license fee, the  
25 submission of all required documents, and the applicant meeting  
26 the necessary qualifications as defined by the board by rule.  
27 The temporary license shall be valid until the results of the  
28 certifying examination are available. The temporary license  
29 may be renewed at the discretion of the board and upon payment  
30 of the temporary license fee.

31 Sec. 9. NEW SECTION. 148G.5 Licensure in another state —  
32 reciprocity.

33 1. Upon application and payment of a fee set by the board by  
34 rule, the board shall issue a license to an anesthesiologist  
35 assistant who is licensed in another jurisdiction and who

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1 has had no violations, suspensions, or revocations of a  
2 license to practice as an anesthesiologist assistant in any  
3 jurisdiction, provided that such person is licensed in a  
4 jurisdiction with licensure requirements that are substantially  
5 equal to, or greater than, the requirements for licensure of  
6 anesthesiologist assistants pursuant to this chapter.

7 2. The board may negotiate reciprocal compacts with  
8 licensing boards of other states for the admission of licensed  
9 anesthesiologist assistants from this state to practice in  
10 other states.

11 Sec. 10. **NEW SECTION. 148G.6 License renewal — void**  
12 **licenses — duplicate licenses.**

13 1. A license is valid for two years from the date it is  
14 issued and may be renewed biennially by filing an application  
15 for renewal with the board upon such forms and in such manner  
16 as may be prescribed by the board by rule and paying the  
17 required renewal fee as set by the board by rule.

18 2. The application shall include but not be limited to all  
19 of the following:

20 a. The date and number of the applicant's license.

21 b. A description of any disciplinary action taken against  
22 the applicant by any professional association or society,  
23 licensed hospital or medical staff, state, or country.

24 c. Information concerning the applicant's current physical  
25 and mental fitness to practice as an anesthesiologist  
26 assistant.

27 3. The board shall mail a blank form for application for  
28 renewal of a license to each person licensed in this state at  
29 the person's last known office or residence address.

30 4. If an application for renewal is filed and the fee paid  
31 after the licensure renewal date, a delinquent fee shall be  
32 paid. The delinquent fee may be waived by the board based on  
33 extenuating circumstances as defined by the board by rule.

34 5. If a person licensed by the board does not renew such  
35 license for two consecutive renewal periods, such license shall

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1 be deemed void.

2 6. A duplicate license to replace any license lost,  
3 destroyed, or mutilated may be issued to an applicant, subject  
4 to rules adopted by the board, upon the payment of a reasonable  
5 fee.

6 Sec. 11. NEW SECTION. 148G.7 Anesthesiologist assistant  
7 functions — supervision — prohibited activities.

8 1. An anesthesiologist assistant may assist the supervising  
9 anesthesiologist in developing and implementing an anesthesia  
10 care plan for a patient. In providing assistance to the  
11 supervising anesthesiologist, an anesthesiologist assistant may  
12 do any of the following:

13 a. Obtain a comprehensive patient history, perform relevant  
14 elements of a physical exam, and present the history to the  
15 supervising anesthesiologist.

16 b. Pretest and calibrate anesthesia delivery systems and  
17 obtain and interpret information from the systems and monitors,  
18 in consultation with an anesthesiologist.

19 c. Assist the supervising anesthesiologist with the  
20 implementation of medically accepted monitoring techniques.

21 d. Establish basic and advanced airway interventions,  
22 including intubation of the trachea and performing ventilatory  
23 support.

24 e. Administer intermittent vasoactive drugs and start and  
25 adjust vasoactive infusions.

26 f. Administer anesthetic drugs, adjuvant drugs, and  
27 accessory drugs.

28 g. Assist the supervising anesthesiologist with the  
29 performance of epidural anesthetic procedures, spinal  
30 anesthetic procedures, and other regional anesthetic  
31 techniques.

32 h. Administer blood, blood products, and supportive fluids.

33 i. Provide assistance to a cardiopulmonary resuscitation  
34 team in response to a life-threatening situation.

35 j. Participate in administrative, research, and clinical

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1 teaching activities as authorized by the supervising  
2 anesthesiologist.

3     *k.* Perform such other tasks not prohibited by law under  
4 the supervision of a licensed anesthesiologist that the  
5 anesthesiologist assistant has been trained and is proficient  
6 to perform.

7     2. An anesthesiologist shall at all times accept and be  
8 responsible for the oversight of the health care services  
9 rendered by an anesthesiologist assistant as provided in  
10 section 148G.8.

11     3. An anesthesiologist assistant shall not perform any of  
12 the following functions:

13     *a.* Prescribe any medications or controlled substances.

14     *b.* Administer any drugs, medicines, devices, or therapies  
15 the supervising anesthesiologist is not qualified or authorized  
16 to prescribe.

17     *c.* Practice or attempt to practice without the supervision  
18 of a licensed anesthesiologist or in any location where the  
19 supervising anesthesiologist is not immediately available for  
20 consultation, assistance, and intervention.

21     4. A student in an anesthesiologist assistant training  
22 program shall be identified as a student anesthesiologist  
23 assistant or an anesthesiologist assistant student. Under no  
24 circumstances shall such a student use or permit to be used  
25 on the student's behalf, the terms "intern", "resident", or  
26 "fellow" or be identified in any way as a physician or surgeon.

27     5. The anesthesiologist members of the faculty of an  
28 anesthesiologist assistant program established in this state  
29 shall be comprised of anesthesiologists certified by the  
30 American board of anesthesiology. A faculty member of an  
31 anesthesiologist assistant program shall not concurrently  
32 supervise more than two anesthesiologist assistant students  
33 who are delivering anesthesia. A certified registered nurse  
34 anesthetist shall be excluded from the clinical education of  
35 anesthesiologist assistants.

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1     Sec. 12. NEW SECTION. 148G.8 **Supervision required —**  
2 **written practice protocol — audit or inspection by board.**

3     1. *a.* An anesthesiologist assistant shall practice only  
4 under the direct supervision of an anesthesiologist who is  
5 physically present or immediately available.

6     *b.* An anesthesiologist may supervise up to four  
7 anesthesiologist assistants concurrently, consistent with  
8 the provisions of 42 C.F.R. §415.110 relating to anesthesia  
9 services reimbursable under Medicare.

10    2. An anesthesiologist who agrees to act as the supervising  
11 anesthesiologist for an anesthesiologist assistant shall  
12 adopt a written practice protocol that is consistent with  
13 this chapter and that delineates the services that the  
14 anesthesiologist assistant is authorized to provide and  
15 the manner in which the anesthesiologist will supervise the  
16 anesthesiologist assistant. The provisions of the protocol  
17 shall be based on relevant quality assurance standards,  
18 including regular review by the supervising anesthesiologist  
19 of the medical records of the patients cared for by the  
20 anesthesiologist assistant.

21    3. The supervising anesthesiologist shall oversee the  
22 anesthesiologist assistant in accordance with the terms  
23 of the protocol and any rules adopted by the board for the  
24 supervision of an anesthesiologist assistant. The board may  
25 audit or inspect any written practice protocol under which an  
26 anesthesiologist assistant works.

27    Sec. 13. NEW SECTION. 148G.9 **Inactive license.**

28    1. A person licensed pursuant to this chapter may apply  
29 to the board for inactive license status on a form furnished  
30 by the board. Upon receipt of the completed inactive status  
31 application and a determination by the board that the licensee  
32 meets the requirements defined by the board by rule, the  
33 board shall declare the licensee inactive and shall place  
34 the licensee on an inactive status list. A person that has  
35 an inactive license or has discontinued the practice of an

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1 anesthesiologist assistant because of retirement shall not  
2 practice as an anesthesiologist assistant within this state.

3 2. During the period of inactive status, the licensee shall  
4 not be required to comply with the board's minimum requirements  
5 for continuing education pursuant to section 148G.11.

6 3. A licensee that allows the person's license to become  
7 inactive for a period of five years or less may return the  
8 license to active status by notifying the board in advance of  
9 such intention, paying the appropriate fees, and meeting all  
10 established licensure requirements of the board as a condition  
11 of reinstatement.

12 Sec. 14. NEW SECTION. 148G.10 Retirement — resumption of  
13 practice.

14 A person licensed to practice as an anesthesiologist  
15 assistant in this state who retires from such practice shall  
16 file with the board an affidavit, on a form to be furnished by  
17 the board, which states the date of retirement and such other  
18 facts to verify the retirement as defined by the board by rule.

19 Sec. 15. NEW SECTION. 148G.11 Continuing education  
20 requirements.

21 The board shall not renew a license under this chapter  
22 unless the licensee provides satisfactory evidence that the  
23 board's minimum requirements for continuing education have  
24 been met. The board shall adopt minimum requirements for  
25 continuing education by rule, which shall include but are not  
26 limited to the successful completion of the examination for  
27 continued demonstration of qualifications once every six years,  
28 as authorized by the national commission for certification of  
29 anesthesiologist assistants or its successor.

30 Sec. 16. NEW SECTION. 148G.12 License denial, suspension,  
31 and revocation.

32 1. The board may refuse to issue or renew, suspend, or  
33 revoke a license under this chapter for any of the following:  
34 a. Use or unlawful possession of any controlled substance,  
35 as defined in chapter 124, or alcoholic beverage to an extent

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1 that such use impairs the person's ability to perform the work  
2 of an anesthesiologist assistant.

3     *b.* The person has been finally adjudicated and found  
4 guilty, or entered a plea of guilty or nolo contendere, in  
5 a criminal prosecution under the laws of any state or of  
6 the United States, for any offense reasonably related to the  
7 qualifications, functions, or duties of an anesthesiologist  
8 assistant, for any offense for which an essential element is  
9 fraud, dishonesty, or an act of violence, or for any offense  
10 involving moral turpitude, whether or not a sentence is  
11 imposed.

12     *c.* Use of fraud, deception, misrepresentation, or bribery  
13 in securing a license issued pursuant to this chapter or in  
14 obtaining permission to take an examination given or required  
15 pursuant to this chapter.

16     *d.* Obtaining or attempting to obtain any fee, charge,  
17 tuition, or other compensation by fraud, deception, or  
18 misrepresentation.

19     *e.* Incompetency, misconduct, gross negligence, fraud,  
20 misrepresentation, or dishonesty in the performance of the  
21 functions or duties of an anesthesiologist assistant.

22     *f.* Violation of, or assisting or enabling any person to  
23 violate, any provision of this chapter or any rule adopted  
24 pursuant to this chapter.

25     *g.* Impersonation of any person holding a license.

26     *h.* Disciplinary action against the holder of a license or  
27 other right relating to the practice of an anesthesiologist  
28 assistant granted by another state, territory, federal agency,  
29 or country upon grounds for which revocation or suspension is  
30 authorized in this state.

31     *i.* A final adjudication of insanity or incompetency by a  
32 court of competent jurisdiction.

33     *j.* Assisting or enabling any person to practice or offer to  
34 practice as an anesthesiologist assistant who is not licensed  
35 and eligible to practice pursuant to this chapter.

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1     *k.* Issuance of a license based upon a material mistake of  
2 fact.

3     *l.* Violation of any professional trust or confidence.

4     *m.* Violation of the ethical standards for an  
5 anesthesiologist assistant as defined by the board by rule.

6     *n.* Violation of a rule or regulation of this state, any  
7 other state, or the federal government.

8     2. The board shall notify the applicant or licensee  
9 in a complaint in writing of the reasons for the refusal,  
10 suspension, or revocation and shall advise the applicant or  
11 licensee of the right to file an objection to the complaint.  
12 The board shall adopt rules of procedure for the filing  
13 of complaints and objections thereto which conform to the  
14 provisions of chapter 17A.

15     3. The board shall have the authority to issue subpoenas to  
16 compel witnesses to testify or produce evidence in proceedings  
17 to deny, suspend, or revoke a license.

18     4. After the filing of a complaint by the board, the  
19 proceedings shall be conducted in accordance with the  
20 provisions of chapter 17A. Upon a finding that the grounds for  
21 disciplinary action provided in subsection 1 are met, the board  
22 may take any of the following actions:

23     *a.* Deny initial issuance or renewal of a license to the  
24 person named in the complaint.

25     *b.* Censure or place the person named in the complaint on  
26 probation with such terms and conditions as the board deems  
27 appropriate for a period not to exceed ten years.

28     *c.* Suspend the license of the person named in the complaint  
29 for a period not to exceed seven years.

30     *d.* Revoke the license of the person named in the complaint.

31     5. An individual whose license has been revoked shall wait  
32 at least one year from the date of revocation to apply for  
33 relicensure and shall not be eligible for a temporary license.  
34 Relicensure shall be at the discretion of the board after  
35 compliance with all requirements of this chapter.

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1     Sec. 17. NEW SECTION. 148G.13 Scope of chapter.

2     1. Notwithstanding the provisions of this chapter, the  
3 governing body of a hospital may limit the functions and  
4 activities that an anesthesiologist assistant performs in  
5 such hospital. Nothing in this section shall be construed to  
6 require any hospital to hire an anesthesiologist who is not  
7 already employed as a physician prior to July 1, 2015.

8     2. Nothing in this chapter shall be construed as prohibiting  
9 any individual, regardless of whether the individual is  
10 licensed pursuant to this chapter, from providing the services  
11 of anesthesiologist assistant, so long as those services are  
12 lawfully performed pursuant to the individual's scope of  
13 practice as authorized by law.

14                                   EXPLANATION

15                   The inclusion of this explanation does not constitute agreement with  
16                   the explanation's substance by the members of the general assembly.

17     This bill provides for licensing of anesthesiologist  
18 assistants and makes the provisions of Code chapters 147 and  
19 272C, including penalty and other regulatory provisions,  
20 applicable to the practice of anesthesiologist assisting.  
21 The board of medicine is to be responsible for governing the  
22 licensure process for anesthesiologist assistants.

23     The bill requires anesthesiologist assistants to perform all  
24 duties under the immediate supervision of an anesthesiologist.  
25 The bill does not prevent other persons from performing the  
26 duties of an anesthesiologist assistant if the person is  
27 legally authorized to perform such duties within their regular  
28 scope of practice.

29     To become a licensed anesthesiologist assistant, a person  
30 must graduate from an anesthesiologist assistant program  
31 accredited by the American medical association's committee  
32 on allied health education and accreditation, pass the  
33 certifying examination administered by the national commission  
34 for certification of anesthesiologist assistants, and have  
35 an active certification by the national commission for

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1 certification of anesthesiologist assistants. The person must  
2 then file the proper application and fees with the board of  
3 medicine. The bill allows for licensure without examination  
4 if an anesthesiologist assistant holds a similar license in  
5 another jurisdiction. Licensees must complete continuing  
6 education requirements. The bill sets forth provisions for  
7 license renewal, temporary licensure, inactive or retired  
8 license status, and license suspension, denial, or revocation.





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House Study Bill 104 - Introduced

SENATE/HOUSE FILE \_\_\_\_\_  
BY (PROPOSED GOVERNOR BILL)

A BILL FOR

1 An Act relating to and providing for the facilitation of  
2 broadband access in targeted areas of the state, including  
3 property tax incentives for broadband infrastructure  
4 installation, a broadband grant program and fund, making  
5 appropriations, and including applicability provisions.  
6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 DIVISION I

2 LEGISLATIVE INTENT

3 Section 1. SHORT TITLE. This Act shall be known and may be  
4 cited as the "Connecting Iowa Farms, Schools, and Communities  
5 Act".

6 Sec. 2. LEGISLATIVE INTENT. The general assembly finds  
7 and declares that increasing the extent and availability of  
8 broadband infrastructure throughout the state facilitates the  
9 provision of internet access to citizens, farms, businesses,  
10 and communities at speeds that promote economic development,  
11 employment, enhanced access to goods and services, increased  
12 educational and training opportunities, faster access to  
13 government services and health care, and improved overall  
14 information and community access.

15 DIVISION II

16 STATEWIDE BROADBAND COORDINATION

17 Sec. 3. Section 8B.1, Code 2015, is amended by adding the  
18 following new subsections:

19 NEW SUBSECTION. 01. "*Broadband*" means a high-speed,  
20 high-capacity electronic transmission medium that can carry  
21 data signals from multiple independent network sources by  
22 establishing different bandwidth channels and that is commonly  
23 used to deliver internet services to the public.

24 NEW SUBSECTION. 001. "*Broadband infrastructure*" means  
25 the physical infrastructure used for the transmission of data  
26 via broadband, including but not limited to any equipment,  
27 systems, switches, routers, wire, cable, satellite, conduits,  
28 servers, software, technology, base transceiver station  
29 sites, or other means of transmission or communication.  
30 "*Broadband infrastructure*" does not include land, buildings,  
31 structures, improvements, or equipment not directly used in the  
32 transmission of data via broadband.

33 NEW SUBSECTION. 0001. "*Communications service provider*"  
34 means a service provider that provides broadband service.

35 NEW SUBSECTION. 00001. "*Crop operation*" means the same as

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1 defined in section 717A.1.

2 NEW SUBSECTION. 7A. "*Targeted service area*" means a United  
3 States census bureau census block located in this state,  
4 including any crop operation located within the census block,  
5 within which no communications service provider offers or  
6 facilitates broadband service at or above twenty-five megabits  
7 per second of download speed and three megabits per second of  
8 upload speed.

9 Sec. 4. Section 8B.1, subsection 1, Code 2015, is amended  
10 to read as follows:

11 1. "*Information technology*" means computing and electronics  
12 applications used to process and distribute information in  
13 digital and other forms and includes information technology  
14 devices, information technology services, infrastructure  
15 services, broadband and broadband infrastructure, and  
16 value-added services.

17 Sec. 5. Section 8B.3, subsection 1, Code 2015, is amended  
18 to read as follows:

19 1. The office is created for the purpose of leading,  
20 directing, managing, coordinating, and providing accountability  
21 for the information technology resources of state government  
22 and for coordinating statewide broadband availability and  
23 access.

24 Sec. 6. Section 8B.4, Code 2015, is amended by adding the  
25 following new subsections:

26 NEW SUBSECTION. 14A. Streamline, consolidate, and  
27 coordinate the access to and availability of broadband and  
28 broadband infrastructure throughout the state, including but  
29 not limited to the facilitation of public-private partnerships,  
30 ensuring that all state agencies' broadband and broadband  
31 infrastructure policies and procedures are aligned, resolving  
32 issues which arise with regard to implementation efforts,  
33 and collecting data and developing metrics or standards  
34 against which the data may be measured and evaluated regarding  
35 broadband infrastructure installation and deployment.

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1     NEW SUBSECTION. 14B. Establish and administer the  
2 broadband grant program pursuant to section 8B.11.

3     NEW SUBSECTION. 14C. Coordinate the fiberoptic network  
4 conduit installation program established in section 8B.25.

5     Sec. 7. Section 8B.9, Code 2015, is amended by adding the  
6 following new subsection:

7     NEW SUBSECTION. 5. An annual report regarding the status  
8 of broadband expansion and coordination and the connecting  
9 Iowa farms, schools, and communities broadband grant program  
10 established under section 8B.11.

11     Sec. 8. NEW SECTION. **8B.10 Targeted service areas —**  
12 **determination — criteria.**

13     1. The determination of whether a communications service  
14 provider offers or facilitates broadband service meeting the  
15 download or upload speeds specified in the definition of  
16 targeted service area in section 8B.1 shall be determined or  
17 ascertained by reference to broadband availability maps or data  
18 sources that are widely accepted for accuracy and available for  
19 public review and comment and that are identified by the office  
20 by rule.

21     2. The office shall establish procedures to allow  
22 challenges to claims that an area meets the definition of a  
23 targeted service area.

24     Sec. 9. NEW SECTION. **8B.11 Connecting Iowa farms, schools,**  
25 **and communities — broadband grants — fund.**

26     1. The office shall establish and administer a broadband  
27 grant program to award grants to communication service  
28 providers that reduce or eliminate targeted service areas.

29     2. *a.* A connecting Iowa farms, schools, and communities  
30 broadband grant fund is established in the state treasury under  
31 the authority of the office. The fund shall consist of moneys  
32 appropriated to the fund or appropriated to the office for  
33 purposes of the grant program, or other funds available to  
34 the office for purposes of the grant program. Moneys in the  
35 fund are appropriated to the office to be used for the grant

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1 program.

2     **b.** Notwithstanding section 8.33, moneys in the fund  
3 that remain unencumbered or unobligated at the close of the  
4 fiscal year shall not revert but shall remain available for  
5 expenditure for the purposes designated until the close of the  
6 succeeding fiscal year.

7     3. The office shall use moneys in the fund to provide grants  
8 to communication service providers for purposes of reducing or  
9 eliminating targeted service areas.

10    4. Communication service providers may apply to the office  
11 for a grant pursuant to this section. The office shall award  
12 grants on a competitive basis using criteria established by the  
13 office by rule.

14    5. The office shall adopt rules pursuant to chapter 17A  
15 including but not limited to the broadband grant program  
16 process, management, and measurements as deemed necessary by  
17 the office.

18    Sec. 10. NEW SECTION.   **8B.25   Fiberoptic network conduit**  
19 **installation program.**

20    1. For the purposes of this section, "*fiberoptic network*  
21 *conduit*" means a pipe or duct used to enclose fiberoptic cable  
22 facilities buried alongside a roadway or surface mounted on  
23 a bridge, overpass, or other facility where placement below  
24 ground is impossible or impractical.

25    2. The office shall lead and coordinate a program to  
26 provide for the installation of fiberoptic network conduit  
27 where such conduit does not exist. The chief information  
28 officer shall consult and coordinate with the department of  
29 administrative services, the department of transportation, the  
30 Iowa communications network, and other agencies and entities  
31 as determined appropriate to ensure that the opportunity is  
32 provided to lay or install fiberoptic network conduit wherever  
33 a state-funded construction project involves trenching, boring,  
34 a bridge, a roadway, or opening of the ground, or alongside any  
35 state-owned infrastructure.

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1 3. Contingent upon the provision of funding for such  
2 purposes by the general assembly, the office may contract with  
3 a third party to manage, lease, install, or otherwise provide  
4 fiberoptic network conduit access for projects described in  
5 this section. This section shall not prohibit the office from  
6 purchasing or installing fiberoptic cable within any fiberoptic  
7 network conduit installed pursuant to the program.

8 Sec. 11. NEW SECTION. **8B.26 Broadband permitting process**  
9 **— expeditious response.**

10 Notwithstanding any other provision to the contrary, a  
11 political subdivision vested with permitting authority shall  
12 approve, approve with modification, or disapprove nonwireless,  
13 broadband-related permits within sixty business days following  
14 the submission of a permit application and fee. In the event  
15 that no action is taken during the sixty-day period, the  
16 application shall be deemed approved.

17 Sec. 12. Section 8D.3, subsection 2, paragraph a, Code 2015,  
18 is amended to read as follows:

19 a. The commission is composed of five voting members  
20 appointed by the governor and subject to confirmation by the  
21 senate. ~~Members~~ Voting members of the commission shall not  
22 serve in any manner or be employed by an authorized user of the  
23 network or by an entity seeking to do or doing business with  
24 the network.

25 (1) The governor shall appoint a voting member as the  
26 chairperson of the commission from the five voting members  
27 ~~appointed by the governor~~, subject to confirmation by the  
28 senate.

29 (2) ~~Members~~ Voting members of the commission shall serve  
30 six-year staggered terms as designated by the governor and  
31 appointments to the commission are subject to the requirements  
32 of sections 69.16, 69.16A, and 69.19. Vacancies shall be  
33 filled by the governor for the duration of the unexpired term.

34 (3) The salary of the voting members of the commission shall  
35 be twelve thousand dollars per year, except that the salary

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1 of the chairperson shall be seventeen thousand dollars per  
2 year. ~~Members~~ Voting members of the commission shall also be  
3 reimbursed for all actual and necessary expenses incurred in  
4 the performance of duties as members. The benefits and salary  
5 paid to the voting members of the commission shall be adjusted  
6 annually equal to the average of the annual pay adjustments,  
7 expense reimbursements, and related benefits provided under  
8 collective bargaining agreements negotiated pursuant to chapter  
9 20.

10 Sec. 13. Section 8D.3, subsection 2, paragraph b, Code 2015,  
11 is amended to read as follows:

12 ~~b. In addition to the members appointed by the governor,~~  
13 ~~the~~ The auditor of state or the auditor's designee and the  
14 chief information officer appointed pursuant to section 8B.2  
15 or the chief information officer's designee shall serve as a  
16 nonvoting, ex officio ~~member~~ members of the commission.

17 Sec. 14. Section 8D.4, Code 2015, is amended to read as  
18 follows:

19 **8D.4 Executive director appointed.**

20 ~~The commission, in consultation with the director of~~  
21 ~~the department of administrative services and the chief~~  
22 ~~information officer,~~ shall appoint an executive director of  
23 the commission, subject to confirmation by the senate. Such  
24 individual shall not serve as a member of the commission.  
25 The executive director shall serve at the pleasure of the  
26 commission. The executive director shall be selected primarily  
27 for administrative ability and knowledge in the field, without  
28 regard to political affiliation. The governor shall establish  
29 the salary of the executive director within range nine as  
30 established by the general assembly. The salary and support of  
31 the executive director shall be paid from funds deposited in  
32 the Iowa communications network fund.

33 Sec. 15. Section 80.28, subsection 2, Code 2015, is amended  
34 to read as follows:

35 2. The board shall consist of ~~fifteen~~ seventeen voting

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1 members, as follows:

2     a. The following members representing state agencies:

3       (1) One member representing the department of public  
4 safety.

5       (2) One member representing the state department of  
6 transportation.

7       (3) One member representing the department of homeland  
8 security and emergency management.

9       (4) One member representing the department of corrections.

10       (5) One member representing the department of natural  
11 resources.

12       (6) One member representing the Iowa department of public  
13 health.

14       (7) One member representing the office of the chief  
15 information officer created in section 8B.2.

16     b. The governor shall solicit and consider recommendations  
17 from professional or volunteer organizations in appointing the  
18 following members:

19       (1) Two members who are representatives from municipal  
20 police departments.

21       (2) Two members who are representatives of sheriff's  
22 offices.

23       (3) Two members who are representatives from fire  
24 departments. One of the members shall be a volunteer fire  
25 fighter and the other member shall be a paid fire fighter.

26       (4) Two members who are law communication center managers  
27 employed by state or local government agencies.

28       (05) One member who is an emergency medical care provider  
29 as defined in section 147A.1.

30       (5) One at-large member.

31     Sec. 16. BOND REPAYMENT FUND BROADBAND GRANT  
32 TRANSFER. Notwithstanding section 8.57F, subsection 1,  
33 paragraphs a, b, and c, for the fiscal year beginning July 1,  
34 2015, and ending June 30, 2016, the department of management  
35 shall transfer three million dollars from the state bond

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1 repayment fund created in section 8.57F to the office of chief  
2 information officer for deposit in the connecting Iowa farms,  
3 schools, and communities broadband grant fund created under  
4 section 8B.11 to be used for the purposes of the broadband  
5 grant program.

6 Sec. 17. Rebuild Iowa infrastructure fund broadband grant  
7 transfer. For the fiscal year beginning July 1, 2015, and  
8 ending June 30, 2016, through the fiscal year beginning July 1,  
9 2016, and ending June 30, 2017, the department of management  
10 shall transfer two million dollars each year from the rebuild  
11 Iowa infrastructure fund created in section 8.57 to the office  
12 of the chief information officer for deposit in the connecting  
13 Iowa farms, schools, and communities broadband grant fund  
14 created under section 8B.11 to be used for the purposes of the  
15 broadband grant program.

16 Sec. 18. EMERGENCY RULES. The office of the chief  
17 information officer may adopt emergency rules under section  
18 17A.4, subsection 3, and section 17A.5, subsection 2, paragraph  
19 "b", to implement the provisions of this division of this Act  
20 and the rules shall be effective immediately upon filing unless  
21 a later date is specified in the rules. Any rules adopted  
22 in accordance with this section shall also be published as a  
23 notice of intended action as provided in section 17A.4.

24 DIVISION III

25 PROPERTY TAX INCENTIVES AND ASSESSMENT

26 Sec. 19. Section 421.1A, subsection 3, Code 2015, is amended  
27 to read as follows:

28 3. At the election of a property owner or aggrieved taxpayer  
29 or an appellant described in section 441.42, the property  
30 assessment appeal board shall review any final decision,  
31 finding, ruling, determination, or order of a local board of  
32 review relating to protests of an assessment, valuation, or  
33 application of an equalization order, or any final decision  
34 of the county board of supervisors relating to denial of an  
35 application for a property tax exemption pursuant to section

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1 427.1, subsection 40.

2 Sec. 20. Section 421.1A, subsection 4, Code 2015, is amended  
3 by adding the following new paragraph:

4 NEW PARAGRAPH. *Ob.* Affirm or reverse a final decision  
5 of a county board of supervisors relating to denial of an  
6 application for a property tax exemption under section 427.1,  
7 subsection 40.

8 Sec. 21. Section 427.1, Code 2015, is amended by adding the  
9 following new subsection:

10 NEW SUBSECTION. 40. *Broadband infrastructure.*

11 *a.* The owner of broadband infrastructure shall be entitled  
12 to an exemption from taxation to the extent provided in this  
13 subsection. For the purposes of this subsection, "*broadband*  
14 *infrastructure*" and "*targeted service area*" mean the same as  
15 defined in section 8B.1.

16 *b.* The exemption shall apply to the installation of  
17 broadband infrastructure commenced and completed on or  
18 after July 1, 2014, in a targeted service area, and used to  
19 deliver internet services to the public. A person claiming  
20 an exemption under this subsection shall certify to the local  
21 assessor prior to commencement of the installation that the  
22 broadband installation will take place within a targeted  
23 service area.

24 *c.* The tax exemption shall be a one hundred percent  
25 exemption from taxation for a period of three years in an  
26 amount equal to the actual value added by installation of the  
27 broadband infrastructure.

28 *d.* For companies assessed by the department of revenue  
29 pursuant to chapter 433, the exemption shall be limited to  
30 an amount equal to the actual value added by installation of  
31 the broadband infrastructure as of the assessment date as  
32 determined by the department and the exemption shall be applied  
33 prior to any other exemption applicable to the unit value, as  
34 determined under that chapter.

35 *e.* (1) An application for an exemption shall be filed by

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1 the owner of the property with the county board of supervisors  
2 of each county in which the property is located by February  
3 1 of the year in which the broadband infrastructure is first  
4 assessed for taxation, or the following two assessment years,  
5 and in each case the exemption is allowed for three years.

6 (2) In lieu of subparagraph (1), and notwithstanding any  
7 provision in this subsection to the contrary, an owner may at  
8 any time before completion of the project submit a proposal to  
9 the board of supervisors requesting that the board allow the  
10 owner to file an application for exemption by February 1 of  
11 any other assessment year following completion of the project,  
12 which year shall be selected by the board. If the board, by  
13 resolution, approves the proposal, the exemption is allowed for  
14 three years.

15 f. (1) The application shall be made on forms prescribed by  
16 the director of revenue. The application shall contain but not  
17 be limited to the following information:

18 (a) The nature of the broadband infrastructure  
19 installation.

20 (b) The actual cost of installing the broadband  
21 infrastructure under the project, if available. The  
22 application shall contain supporting documents demonstrating  
23 the actual cost.

24 (c) Certification from the office of the chief information  
25 officer pursuant to section 8B.10 that the installation is  
26 being performed or was completed in a targeted service area  
27 and certification of the date of commencement and actual or  
28 estimated date of completion.

29 (d) A copy of any nonwireless broadband-related permit  
30 issued by a political subdivision.

31 (e) If applying pursuant to paragraph "e", subparagraph (2),  
32 the actual cost already incurred for installation of broadband  
33 infrastructure, if any, the estimated costs for project  
34 completion, and the estimated date of project completion. The  
35 application shall contain supporting documents demonstrating

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1 the actual cost.

2 (2) The board of supervisors shall forward all approved  
3 applications and any necessary information regarding the  
4 applications to the appropriate local assessor or to the  
5 department of revenue, as applicable, by March 1 annually.  
6 After the tax exemption is granted, the local assessor shall  
7 continue to grant the tax exemption for three years, and  
8 applications for exemption for succeeding years shall not be  
9 required.

10 (3) An applicant for a property tax exemption under this  
11 subsection may appeal the decision of the board of supervisors  
12 regarding denial of the application to the property assessment  
13 appeal board.

14 g. (1) If a company whose property in the county is not  
15 assessed by the department of revenue is approved to receive a  
16 property tax exemption pursuant to this subsection, the actual  
17 value added by installation of the broadband infrastructure  
18 shall be determined by the local assessor who shall certify the  
19 amount of exemption determined to the county auditor at the  
20 time of transmitting the assessment rolls.

21 (2) Notwithstanding any other provision of law to the  
22 contrary, if a company in which all or a portion of the  
23 company's property in the county is assessed by the department  
24 pursuant to chapter 433 and the company's property in the  
25 county is approved to receive a property tax exemption  
26 pursuant to this subsection, the department shall assess  
27 all the company's property in the county used for operating  
28 telegraph and telephone lines, broadband, or cable systems for  
29 each assessment year the company receives the exemption, for  
30 purposes of determining the actual value added by installation  
31 of the broadband infrastructure.

32 (3) (a) If assessing property pursuant to subparagraph (2),  
33 the department shall certify the assessment value and exemption  
34 amounts for all property used for the operation of providing  
35 cable and broadband services and generally not assessed by

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1 the department to the local assessor for inclusion on the  
2 assessment rolls as provided in section 433.8, subsection 2.

3 (b) A company whose property is assessed by the department  
4 pursuant to subparagraph (2) shall follow the appeal procedures  
5 in chapter 429 for appealing any part of the assessment on  
6 all the company's property, including the company's property  
7 that would have been valued by the local assessor but for  
8 subparagraph (2). For appeal proceedings for assessed values  
9 submitted pursuant to subparagraph division (a), the department  
10 shall notify the taxpayer of the right to appeal pursuant to  
11 chapter 429.

12 h. The director of revenue may adopt rules pursuant to  
13 chapter 17A for the interpretation and proper administration of  
14 the exemption provided in this subsection.

15 Sec. 22. Section 433.8, Code 2015, is amended to read as  
16 follows:

17 **433.8 Assessment in each county — how certified.**

18 1. The director of revenue shall, for the purpose of  
19 determining what amount shall be assessed to each company  
20 in each county of the state into which the line of the said  
21 company extends, certify to the several county auditors of the  
22 respective counties into, over, or through which said line  
23 extends the number of miles of line in the county for that  
24 company, the actual value per mile of line for that company,  
25 and the exemption value per mile of line for that company for  
26 exemptions received pursuant to section 427.1, subsection 40,  
27 section 433.4, or any other exemptions. In no case, however,  
28 shall the taxable value of the property be reduced below zero.

29 2. If assessing all of the property of a company pursuant to  
30 section 427.1, subsection 40, paragraph "g", subparagraph (2),  
31 the director shall also certify such amounts to the assessor  
32 for inclusion on the assessment rolls.

33 Sec. 23. IMPLEMENTATION. Section 25B.7 shall not apply to  
34 this division of this Act.

35 Sec. 24. IMPLEMENTATION. Notwithstanding section 427.1,

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1 subsection 40, paragraph "b", as enacted in this division  
2 of this Act, owners of broadband infrastructure seeking an  
3 exemption for the installation of broadband infrastructure  
4 commenced between July 1, 2014, and the effective date of this  
5 division of this Act, shall certify to the local assessor that  
6 the broadband infrastructure installation took place within  
7 a targeted service area prior to applying for an exemption  
8 pursuant to this division of this Act.

9 Sec. 25. APPLICABILITY.

10 1. This division of this Act applies to assessment years  
11 beginning on or after January 1, 2016.

12 2. Notwithstanding section 427.1, subsection 40, paragraph  
13 "e", subparagraph (1), as enacted in this division of this  
14 Act, in the case of projects commenced and completed between  
15 July 1, 2014, and December 31, 2014, an owner seeking an  
16 exemption shall first file an application for an exemption with  
17 the county board of supervisors of each county in which the  
18 property is located by February 1, 2016, or the following two  
19 assessment years, and in each case the exemption is allowed for  
20 three years.

21 DIVISION IV

22 INFORMATION TECHNOLOGY INFRASTRUCTURE FOR EDUCATION

23 Sec. 26. Section 423F.3, subsection 6, Code 2015, is amended  
24 by adding the following new paragraph:

25 NEW PARAGRAPH. *0c.* Additionally, "school infrastructure"  
26 includes the acquisition or installation of information  
27 technology infrastructure. For purposes of this paragraph,  
28 "information technology infrastructure" means the basic,  
29 underlying physical framework or system necessary to deliver  
30 technology connectivity to a school district and to network  
31 school buildings within a school district.

32 EXPLANATION

33 The inclusion of this explanation does not constitute agreement with  
34 the explanation's substance by the members of the general assembly.

35 This bill relates to and provides for the facilitation

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1 of broadband access in targeted service areas of the state.  
2 The bill is titled the "Connect Iowa Farms, Schools, and  
3 Communities Act".

4 DIVISION I — LEGISLATIVE INTENT. The division provides  
5 that the general assembly finds and declares that increasing  
6 the extent and availability of broadband infrastructure  
7 throughout the state facilitates the provision of internet  
8 access to citizens, businesses, farms, and communities at  
9 speeds that promote economic development, employment, enhanced  
10 access to goods and services, increased educational and  
11 training opportunities, faster access to government services  
12 and health care, and improved overall information and community  
13 access for citizens.

14 DIVISION II — STATEWIDE BROADBAND COORDINATION. The  
15 division modifies provisions in Code chapter 8B, relating to  
16 the office of the chief information officer. The division adds  
17 several definitions to the Code chapter for use in the Code  
18 chapter and in other related provisions. The division defines  
19 "broadband" to mean a high-speed, high-capacity electronic  
20 transmission medium that can carry data signals from multiple  
21 independent network sources by establishing different bandwidth  
22 channels and that is commonly used to deliver internet services  
23 to the public. The division defines "broadband infrastructure"  
24 to mean the physical infrastructure used for the transmission  
25 of data via broadband, including but not limited to any  
26 equipment, systems, switches, routers, wire, cable, satellite,  
27 conduits, servers, software, technology, base transceiver  
28 station sites, or other means of transmission or communication  
29 via broadband. The division defines "communications service  
30 provider" to mean a service provider that provides broadband  
31 service. The division defines "targeted service area" to  
32 mean a United States census bureau census block located in  
33 Iowa, including any crop operation located within the census  
34 block, within which no communications service provider offers  
35 or facilitates broadband service at or above 25 megabits per

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1 second of download speed and 3 megabits per second of upload  
2 speed. The division defines "crop operation" by referencing  
3 a definition contained in Code section 717A.1 as meaning  
4 a commercial enterprise where a crop is maintained on the  
5 property of the commercial enterprise. Additionally, the  
6 division adds broadband and broadband infrastructure to an  
7 existing definition of "information technology".

8 The division adds to the powers and duties of the chief  
9 information officer streamlining, consolidating, and  
10 coordinating access to and availability of broadband and  
11 broadband infrastructure throughout Iowa.

12 The division provides that the determination of whether  
13 a provider's download and upload speeds are being met for  
14 purposes of the definition of "targeted service area" shall be  
15 by reference to broadband availability maps or data sources  
16 identified by the office by rule. The division directs the  
17 office to establish procedures to allow challenges to claims  
18 that the threshold download or upload speeds are being met.

19 The division establishes a connecting Iowa farms, schools,  
20 and communities grant program and fund. The division requires  
21 the office of the chief information officer to establish a  
22 broadband grant program to award grants to communication  
23 service providers that reduce or eliminate targeted service  
24 areas. The division establishes a fund, consisting of moneys  
25 appropriated to it or appropriated to the office or otherwise  
26 available to the office for purposes of the grant program. The  
27 moneys in the fund are appropriated to the office of the chief  
28 information officer. The bill provides that communication  
29 service providers may apply to the office for a grant. The  
30 division requires the office to award grants on a competitive  
31 basis using criteria established by the office by rule.

32 The division also adds to the powers and duties of the chief  
33 information officer the responsibility for coordinating a new  
34 fiberoptic network conduit installation program to facilitate  
35 incorporation of fiberoptic network conduit installations, as

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1 defined by the bill, into state-funded construction projects  
2 or by state-owned infrastructure. The division provides that,  
3 subject to funding from the general assembly, the office  
4 may contract with a third party to manage, lease, install,  
5 or otherwise provide fiberoptic network conduit access, and  
6 the program shall not prohibit the office from purchasing or  
7 installing fiberoptic cable within fiberoptic network conduit  
8 installed pursuant to the program.

9 Additionally, the division specifies expeditious response  
10 requirements regarding the approval, modification, or  
11 disapproval of nonwireless broadband-related permits. The  
12 division provides that, notwithstanding any other provision to  
13 the contrary, a political subdivision vested with permitting  
14 authority shall approve, approve with modification, or  
15 disapprove nonwireless broadband-related permits within 60  
16 business days following the submission of a permit application  
17 and fee. In the event that no action is taken during the 60-day  
18 period, the application shall be deemed approved.

19 The division also requires the chief information  
20 officer to prepare an annual report regarding the status of  
21 broadband expansion and coordination, and adds the chief  
22 information officer to the Iowa telecommunications and  
23 technology commission which oversees the operation of the Iowa  
24 communications network and to the statewide interoperable  
25 communications system board established in Code section  
26 80.28. The division makes corresponding changes. Further,  
27 the division adds an additional member to the board who is an  
28 emergency medical care provider, and eliminates a provision  
29 that required the commission to consult with the director  
30 of the department of administrative services and the chief  
31 information officer when appointing the commission's executive  
32 director.

33 For fiscal year 2015-2016, the bill requires the department  
34 of management to transfer \$3 million from the state bond  
35 repayment fund to the connecting Iowa farms, schools, and

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1 communities broadband grant fund. For fiscal years 2015-2016  
2 and 2016-2017, the bill requires the department of management  
3 to transfer \$2 million each year from the rebuild Iowa  
4 infrastructure fund to the connecting Iowa farms, schools, and  
5 communities broadband grant fund.

6 DIVISION III — PROPERTY TAX INCENTIVES AND ASSESSMENT. The  
7 division provides a property tax exemption for installation  
8 of broadband infrastructure within a targeted service area,  
9 which installation is commenced and completed on or after July  
10 1, 2014. The exemption shall be a 100 percent exemption from  
11 taxation for a period of three years based on the actual value  
12 added by the installation of the broadband infrastructure.  
13 The division specifies procedures relating to applying for  
14 the tax exemption with the county board of supervisors within  
15 which the broadband infrastructure is located, granting the tax  
16 exemption, and assessing the property of companies receiving  
17 the exemption.

18 The division applies to assessment years beginning on or  
19 after January 1, 2016. The division provides that property  
20 owners seeking an exemption for installation of broadband  
21 infrastructure commenced between July 1, 2014, and the  
22 effective date of the division of the bill must certify to  
23 the local assessor that the installation of the broadband  
24 infrastructure took place within a targeted service area prior  
25 to applying for an exemption. All other property owners  
26 must certify to the local assessor prior to commencement of  
27 the installation. The division also provides that property  
28 owners seeking an exemption for the installation of broadband  
29 infrastructure commenced and completed between July 1, 2014,  
30 and December 31, 2014, shall first file an application for an  
31 exemption with the county board of supervisors by February 1,  
32 2016, or the following two assessment years. An exemption  
33 filed pursuant to this provision of the division is allowed for  
34 three years.

35 Code section 25B.7 provides that for a property tax credit

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1 or exemption enacted on or after January 1, 1997, if a state  
2 appropriation made to fund the credit or exemption is not  
3 sufficient to fully fund the credit or exemption, the political  
4 subdivision shall be required to extend to the taxpayer only  
5 that portion of the credit or exemption estimated by the  
6 department of revenue to be funded by the state appropriation.  
7 The division provides that Code section 25B.7 does not apply to  
8 the property tax exemption created under this division.  
9 DIVISION IV — INFORMATION TECHNOLOGY INFRASTRUCTURE FOR  
10 EDUCATION. The division provides that school infrastructure  
11 for purposes of statewide school infrastructure funding  
12 includes the acquisition or installation of information  
13 technology, as defined in the division.



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**Senate File 130 - Introduced**

SENATE FILE 130  
BY COMMITTEE ON EDUCATION  
  
(SUCCESSOR TO SSB 1045)

**A BILL FOR**

1 An Act making changes to certain limitations within the  
2 national guard educational assistance program.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSE 1327SV (1) 86  
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S.F. 130

1 Section 1. Section 261.86, subsection 3, Code 2015, is  
2 amended to read as follows:

3 3. a. An eligible member of the national guard, attending  
4 an institution as provided in subsection 1, paragraph "d", as  
5 ~~a full-time student~~, shall not receive educational assistance  
6 under this section for more than ~~eight semesters, or if~~  
7 ~~attending as a part-time student for not more than sixteen~~  
8 ~~semesters~~, one hundred twenty credit hours of undergraduate  
9 study, ~~or the trimester or quarter equivalent~~. A national  
10 guard member who has met the educational requirements for a  
11 baccalaureate degree is ineligible for educational assistance  
12 under this section.

13 b. A member of the national guard who received educational  
14 assistance under this section prior to July 1, 2015, shall  
15 be deemed to have received educational assistance for the  
16 following number of credit hours for educational assistance  
17 received before that date:

18 (1) For each semester that the member received educational  
19 assistance while attending an institution as a full-time  
20 student, twelve credit hours.

21 (2) For each semester that the member received educational  
22 assistance while attending an institution as a part-time  
23 student, six credit hours.

24 (3) For each trimester or quarter that the member received  
25 educational assistance while attending an institution as a  
26 full-time or part-time student, the number of credit hours that  
27 are determined to be the semester equivalent by the college  
28 student aid commission.

29 EXPLANATION

30 The inclusion of this explanation does not constitute agreement with  
31 the explanation's substance by the members of the general assembly.

32 This bill makes changes to program limitations within the  
33 national guard educational assistance program.

34 Under current law, participation in the national guard  
35 educational assistance program is limited by semesters of

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1 attendance, or the trimester or quarter equivalent. The bill  
2 replaces these limitations by providing that an eligible member  
3 of the Iowa national guard may not receive assistance under the  
4 program for more than 120 credit hours of undergraduate study.  
5 The bill includes transition provisions relating to educational  
6 assistance received under the program prior to July 1, 2015.



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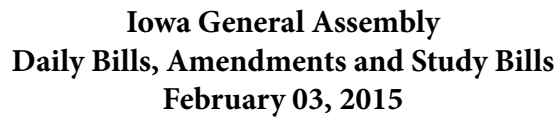
**Senate File 131 - Introduced**

SENATE FILE 131  
BY COMMITTEE ON EDUCATION  
  
(SUCCESSOR TO SSB 1054)

**A BILL FOR**

1 An Act relating to information the board of educational  
2 examiners is required to review regarding applicants for  
3 license renewal.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 1172SV (2) 86  
kh/nh



1 Section 1. Section 272.2, subsection 17, Code 2015, is  
2 amended to read as follows:

3 17. Adopt rules to require that a background investigation  
4 be conducted by the division of criminal investigation of the  
5 department of public safety on all initial applicants for  
6 licensure. The board shall also require all initial applicants  
7 to submit a completed fingerprint packet and shall use the  
8 packet to facilitate a national criminal history background  
9 check. The board shall have access to, and shall review  
10 the sex offender registry information under section 692A.121  
11 available to the general public, information in the Iowa court  
12 information system available to the general public, the central  
13 registry for child abuse information established under chapter  
14 235A, and the dependent adult abuse records maintained under  
15 chapter 235B for information regarding applicants for license  
16 renewal.

18           The inclusion of this explanation does not constitute agreement with  
19           the explanation's substance by the members of the general assembly.

LSB 1172SV (2) 86  
kh/nh





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**Senate File 132 - Introduced**

SENATE FILE 132  
BY COMMITTEE ON EDUCATION  
  
(SUCCESSOR TO SSB 1055)

**A BILL FOR**

1 An Act making a statutory correction to remove an inconsistency  
2 regarding the employment of the executive director of the  
3 board of educational examiners.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSE 1173SV (1) 86  
kh/nh



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S.F. 132

1 Section 1. Section 272.2, subsection 7, Code 2015, is  
2 amended to read as follows:

3 7. Hire ~~an executive director,~~ legal counsel, and other  
4 personnel and control the personnel administration of persons  
5 employed by the board.

6 EXPLANATION

7 The inclusion of this explanation does not constitute agreement with  
8 the explanation's substance by the members of the general assembly.

9 This bill removes an inconsistency regarding the employment  
10 of the executive director of the board of educational  
11 examiners.

12 Prior to 2012, the board had exclusive authority to hire  
13 its executive director. In 2012, legislation was enacted that  
14 directed the governor to appoint the executive director subject  
15 to senate confirmation. The bill resolves the inconsistency  
16 by striking the language authorizing the board to hire an  
17 executive director.



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**Senate File 133 - Introduced**

SENATE FILE 133  
BY COMMITTEE ON EDUCATION

(SUCCESSOR TO SSB 1057)

**A BILL FOR**

1 An Act modifying reporting requirements relating to veterans  
2 attending postsecondary educational institutions.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSE 1295SV (1) 86  
aw/sc



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S.F. 133

1 Section 1. Section 260C.14, subsection 24, paragraph b,  
2 Code 2015, is amended to read as follows:

3 b. For purposes of this subsection, "veteran" means a  
4 veteran as defined in section 35.1 or a member of the reserve  
5 forces of the United States or the national guard as defined in  
6 section 29A.1 who has served at least one year of the member's  
7 commitment and is eligible for or has exhausted federal  
8 veterans education benefits under 38 U.S.C. ch. 30, 32, 33, or  
9 36 or 10 U.S.C. ch. 1606 or 1607, respectively.

10 Sec. 2. Section 261.9, subsection 1, paragraph i,  
11 subparagraph (2), Code 2015, is amended to read as follows:

12 (2) For purposes of this paragraph, "veteran" means a  
13 veteran as defined in section 35.1 or a member of the reserve  
14 forces of the United States or the national guard as defined in  
15 section 29A.1 who has served at least one year of the member's  
16 commitment and is eligible for or has exhausted federal  
17 veterans education benefits under 38 U.S.C. ch. 30, 32, 33, or  
18 36 or 10 U.S.C. ch. 1606 or 1607, respectively.

19 Sec. 3. Section 262.9, subsection 38, paragraph b, Code  
20 2015, is amended to read as follows:

21 b. For purposes of this subsection, "veteran" means a  
22 veteran as defined in section 35.1 or a member of the reserve  
23 forces of the United States or the national guard as defined in  
24 section 29A.1 who has served at least one year of the member's  
25 commitment and is eligible for or has exhausted federal  
26 veterans education benefits under 38 U.S.C. ch. 30, 32, 33, or  
27 36 or 10 U.S.C. ch. 1606 or 1607, respectively.

28 EXPLANATION

29 The inclusion of this explanation does not constitute agreement with  
30 the explanation's substance by the members of the general assembly.

31 This bill extends veterans reporting requirements of  
32 postsecondary educational institutions to include certain  
33 members of the reserve forces of the United States and certain  
34 members of the national guard.

35 Current law requires that community colleges, accredited

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1 private postsecondary institutions, and the board of regents  
2 file annual reports with the governor and the general assembly  
3 relating to the award of educational credits to veterans for  
4 military education, training, and experience. The bill amends  
5 the definition of veteran to include members of the reserve  
6 forces of the United States and of the national guard who have  
7 served at least one year of the service commitment and are  
8 eligible for, or have exhausted, federal education benefits for  
9 veterans.



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**Senate File 134 - Introduced**

SENATE FILE 134  
BY COMMITTEE ON STATE  
GOVERNMENT

(SUCCESSOR TO SSB 1061)

**A BILL FOR**

1 An Act concerning bonding requirements for a wine direct  
2 shipper license.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 1715SV (1) 86  
ec/nh



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S.F. 134

1 Section 1. Section 123.187, subsection 2, paragraph c, Code  
2 2015, is amended to read as follows:

3 c. An application submitted pursuant to paragraph "a"  
4 shall also be accompanied by a bond in the amount of five  
5 thousand dollars in the form prescribed and furnished by the  
6 division with good and sufficient sureties to be approved by  
7 the division conditioned upon compliance with this chapter.  
8 However, a wine manufacturer that has submitted a bond pursuant  
9 to section 123.175, subsection 3, shall not be required to  
10 provide a bond as provided in this paragraph.

11 EXPLANATION

12 The inclusion of this explanation does not constitute agreement with  
13 the explanation's substance by the members of the general assembly.

14 This bill provides that a wine manufacturer that has  
15 submitted a bond pursuant to Code section 123.175, subsection  
16 3, in an application for a class "A" wine permit shall not be  
17 required to also provide a bond in an application for a wine  
18 direct shipper license under Code section 123.187.



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**Senate File 135 - Introduced**

SENATE FILE 135  
BY COMMITTEE ON STATE  
GOVERNMENT

(SUCCESSOR TO SSB 1063)

**A BILL FOR**

1 An Act relating to campaign finance by requiring electronic  
2 filing of certain statements and reports and by raising the  
3 minimum dollar amounts that trigger certain regulations.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 68A.102, subsections 5, 12, and 18, Code  
2 2015, are amended to read as follows:

3 5. "*Candidate's committee*" means the committee designated  
4 by the candidate for a state, county, city, or school office  
5 to receive contributions in excess of ~~seven hundred fifty one~~  
6 thousand dollars in the aggregate, expend funds in excess of  
7 ~~seven hundred fifty one thousand~~ dollars in the aggregate, or  
8 incur indebtedness on behalf of the candidate in excess of  
9 ~~seven hundred fifty one thousand~~ dollars in the aggregate in  
10 any calendar year.

11 12. "*County statutory political committee*" means a committee  
12 as described in section 43.100 that accepts contributions in  
13 excess of ~~seven hundred fifty one thousand~~ dollars in the  
14 aggregate, makes expenditures in excess of ~~seven hundred fifty~~  
15 one thousand dollars in the aggregate, or incurs indebtedness  
16 in excess of ~~seven hundred fifty one thousand~~ dollars in the  
17 aggregate in any one calendar year to expressly advocate the  
18 nomination, election, or defeat of a candidate for public  
19 office.

20 18. "*Political committee*" means any of the following:

21 a. A committee, but not a candidate's committee, that  
22 accepts contributions in excess of ~~seven hundred fifty one~~  
23 thousand dollars in the aggregate, makes expenditures in excess  
24 of ~~seven hundred fifty one thousand~~ dollars in the aggregate,  
25 or incurs indebtedness in excess of ~~seven hundred fifty one~~  
26 thousand dollars in the aggregate in any one calendar year  
27 to expressly advocate the nomination, election, or defeat of  
28 a candidate for public office, or to expressly advocate the  
29 passage or defeat of a ballot issue.

30 b. An association, lodge, society, cooperative, union,  
31 fraternity, sorority, educational institution, civic  
32 organization, labor organization, religious organization,  
33 or professional organization that accepts contributions in  
34 excess of ~~seven hundred fifty one thousand~~ dollars in the  
35 aggregate, makes expenditures in excess of ~~seven hundred fifty~~

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1 one thousand dollars in the aggregate, or incurs indebtedness  
2 in excess of ~~seven hundred fifty~~ one thousand dollars in the  
3 aggregate in any one calendar year to expressly advocate the  
4 nomination, election, or defeat of a candidate for public  
5 office, or to expressly advocate the passage or defeat of a  
6 ballot issue.

7     *c.* A person, other than an individual, that accepts  
8 contributions in excess of ~~seven hundred fifty~~ one thousand  
9 dollars in the aggregate, makes expenditures in excess of ~~seven~~  
10 ~~hundred fifty~~ one thousand dollars in the aggregate, or incurs  
11 indebtedness in excess of ~~seven hundred fifty~~ one thousand  
12 dollars in the aggregate in any one calendar year to expressly  
13 advocate that an individual should or should not seek election  
14 to a public office prior to the individual becoming a candidate  
15 as defined in subsection 4.

16     Sec. 2. Section 68A.201, subsection 2, paragraph e, Code  
17 2015, is amended to read as follows:

18     *e.* A signed statement by the treasurer of the committee  
19 and the candidate, in the case of a candidate's committee,  
20 which shall verify that they are aware of the requirement  
21 to file disclosure reports if the committee, the committee  
22 officers, the candidate, or both the committee officers and  
23 the candidate receive contributions in excess of ~~seven hundred~~  
24 ~~fifty~~ one thousand dollars in the aggregate, make expenditures  
25 in excess of ~~seven hundred fifty~~ one thousand dollars in the  
26 aggregate, or incur indebtedness in excess of ~~seven hundred~~  
27 ~~fifty~~ one thousand dollars in the aggregate in a calendar year  
28 to expressly advocate the nomination, election, or defeat of  
29 any candidate for public office. In the case of political  
30 committees, statements shall be made by the treasurer of the  
31 committee and the chairperson.

32     Sec. 3. Section 68A.202, subsection 1, Code 2015, is amended  
33 to read as follows:

34     1. Each candidate for state, county, city, or school  
35 office shall organize one, and only one, candidate's committee

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1 for a specific office sought when the candidate receives  
2 contributions in excess of ~~seven hundred fifty~~ one thousand  
3 dollars in the aggregate, makes expenditures in excess of ~~seven~~  
4 ~~hundred fifty~~ one thousand dollars in the aggregate, or incurs  
5 indebtedness in excess of ~~seven hundred fifty~~ one thousand  
6 dollars in the aggregate in a calendar year.

7 Sec. 4. Section 68A.202, subsection 2, paragraph a, Code  
8 2015, is amended to read as follows:

9 a. A political committee shall not be established to  
10 expressly advocate the nomination, election, or defeat of only  
11 one candidate for office. However, a political committee may  
12 be established to expressly advocate the passage or defeat of  
13 approval of a single judge standing for retention. A permanent  
14 organization, as defined in section 68A.402, subsection 9, may  
15 make a one-time contribution to only one candidate for office  
16 in excess of ~~seven hundred fifty~~ one thousand dollars.

17 Sec. 5. Section 68A.203, subsection 2, paragraph b, Code  
18 2015, is amended to read as follows:

19 b. A person, other than a candidate or committee officer,  
20 who receives contributions for a committee shall, not later  
21 than fifteen days from the date of receipt of the contributions  
22 or on demand of the treasurer, render to the treasurer the  
23 contributions and an account of the total of all contributions,  
24 including the name and address of each person making a  
25 contribution in excess of ~~ten~~ twenty-five dollars, the amount  
26 of the contributions, and the date on which the contributions  
27 were received.

28 Sec. 6. Section 68A.203, subsection 3, paragraph b, Code  
29 2015, is amended to read as follows:

30 b. The name and mailing address of every person making  
31 contributions in excess of ~~ten~~ twenty-five dollars, and the  
32 date and amount of the contribution.

33 Sec. 7. Section 68A.401, subsection 1, unnumbered paragraph  
34 1, Code 2015, is amended to read as follows:

35 All statements and reports required to be filed under this

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1 chapter shall be filed with the board as provided in this  
2 section and section 68A.402, subsection 1. The board shall  
3 post on its internet site all statements and reports filed  
4 under this chapter. For purposes of this section, the term  
5 "statement" does not include a bank statement.

6 Sec. 8. Section 68A.401, subsection 1, paragraphs a, b, c,  
7 and d, Code 2015, are amended to read as follows:

8 a. A state statutory political committee, a county statutory  
9 political committee, a political committee expressly advocating  
10 for or against the nomination, election, or defeat of a  
11 candidate for statewide office or the general assembly, and a  
12 candidate's committee of a candidate for statewide office or  
13 the general assembly shall file all statements and reports in  
14 an electronic format by 4:30 p.m. of the day the filing is due  
15 and according to rules adopted by the board.

16 ~~b. Effective January 1, 2011, a county statutory political~~  
17 ~~committee shall file all statements and reports in an~~  
18 ~~electronic format by 4:30 p.m. of the day the filing is due and~~  
19 ~~according to rules adopted by the board.~~

20 c. ~~Effective January 1, 2011, any~~ Any other candidate  
21 or committee involved in a county, city, school, or other  
22 political subdivision election that accepts monetary or in-kind  
23 contributions in excess of two thousand dollars, or incurs  
24 indebtedness in excess of two thousand dollars in the aggregate  
25 in a calendar year, or makes expenditures in excess of two  
26 thousand dollars in a calendar year to expressly advocate for  
27 or against a clearly identified candidate or ballot issue shall  
28 file all statements and reports in an electronic format by  
29 4:30 p.m. of the day the filing is due and according to rules  
30 adopted by the board. The committee shall continue to file  
31 subsequent statements and reports in an electronic format until  
32 being certified as dissolved under section 68A.402B.

33 d. ~~Any~~ Effective January 1, 2016, any other candidate or  
34 political committee not ~~otherwise required to file a statement~~  
35 ~~or report in an electronic format under this section described~~

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1 in paragraphs "a" and "c" shall file ~~the~~ all statements and  
2 reports in either an electronic format ~~as prescribed by rule or~~  
3 ~~by one of the methods specified in section 68A.402, subsection~~  
4 ~~1~~ by 4:30 p.m. of the day the filing is due according to rules  
5 adopted by the board pursuant to chapter 17A.

6 Sec. 9. Section 68A.403, subsection 1, Code 2015, is amended  
7 to read as follows:

8 1. Unless filed in an electronic format ~~in accordance with~~  
9 ~~section 68A.401, subsection 1~~, a report or statement required  
10 to be filed under this chapter shall be signed by the person  
11 filing the report.

12 Sec. 10. Section 68A.404, subsection 1, Code 2015, is  
13 amended to read as follows:

14 1. As used in this section, "*independent expenditure*" means  
15 one or more expenditures in excess of ~~seven hundred fifty one~~  
16 thousand dollars in the aggregate for a communication that  
17 expressly advocates the nomination, election, or defeat of  
18 a clearly identified candidate or the passage or defeat of  
19 a ballot issue that is made without the prior approval or  
20 coordination with a candidate, candidate's committee, or a  
21 ballot issue committee.

22 Sec. 11. Section 68A.404, subsection 4, paragraph a, Code  
23 2015, is amended to read as follows:

24 a. An independent expenditure statement shall be filed  
25 within forty-eight hours of the making of an independent  
26 expenditure in excess of ~~seven hundred fifty one thousand~~  
27 dollars in the aggregate, or within forty-eight hours of  
28 disseminating the communication to its intended audience,  
29 whichever is earlier. For purposes of this section, an  
30 independent expenditure is made when the independent  
31 expenditure communication is purchased or ordered regardless of  
32 whether or not the person making the independent expenditure  
33 has been billed for the cost of the independent expenditure.

34 Sec. 12. Section 68A.501, Code 2015, is amended to read as  
35 follows:

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1     **68A.501 Funds from unknown source — escheat.**

2     The expenditure of funds from an unknown or unidentifiable  
3 source received by a candidate or committee is prohibited.  
4 Such funds received by a candidate or committee shall escheat  
5 to the state. Any candidate or committee receiving such  
6 contributions shall remit such contributions to the board  
7 which shall forward it to the treasurer of state for deposit  
8 in the general fund of the state. Persons requested to make a  
9 contribution at a fundraising event shall be advised that it  
10 is illegal to make a contribution in excess of ~~ten~~ twenty-five  
11 dollars unless the person making the contribution also provides  
12 the person's name and address.

13     Sec. 13. Section 68B.2, subsection 5, Code 2015, is amended  
14 to read as follows:

15     5. "*Candidate's committee*" means the committee designated  
16 by a candidate for a state, county, city, or school office, as  
17 provided under chapter 68A, to receive contributions in excess  
18 of ~~seven hundred fifty one thousand~~ one thousand dollars in the aggregate,  
19 expend funds in excess of ~~seven hundred fifty one thousand~~  
20 dollars in the aggregate, or incur indebtedness on behalf of  
21 the candidate in excess of ~~seven hundred fifty one thousand~~  
22 dollars in the aggregate in any calendar year.

23                                   EXPLANATION

24                   The inclusion of this explanation does not constitute agreement with  
25                   the explanation's substance by the members of the general assembly.

26     This bill relates to campaign finance by requiring  
27 electronic filing of certain statements and reports and  
28 by raising the minimum dollar amounts that trigger certain  
29 regulations.

30     The bill provides that, beginning January 1, 2016, candidate  
31 and political committees that are not currently required to  
32 file electronically shall file all statements and reports with  
33 the Iowa ethics and campaign disclosure board in an electronic  
34 format by 4:30 p.m. of the day the filing is due.

35     The bill requires that a person receiving a contribution

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1 render the name and address of each person making a  
2 contribution in excess of \$25, and makes corresponding changes.  
3 Current law requires such information for contributions in  
4 excess of \$10.

5 The bill changes the definition of "candidate committee",  
6 "county statutory political committee", and "political  
7 committee" by raising the minimum qualifying amounts of  
8 contributions, expenditures, or indebtedness to amounts in  
9 excess of \$1,000. Under current law, the definitions of these  
10 terms require contributions, expenditures, or indebtedness in  
11 excess of \$750. The bill makes corresponding changes.

12 Current law provides that certain permanent organizations  
13 may make a one-time contribution to one candidate for office in  
14 excess of \$750. The bill changes that amount to \$1,000.

15 Current law further provides that an independent expenditure  
16 means one or more expenditures in excess of \$750 in the  
17 aggregate for a communication expressly advocating the  
18 nomination, election, or defeat of a clearly identified  
19 candidate or the passage or defeat of a ballot issue that  
20 is made without the prior approval or coordination with a  
21 candidate, candidate's committee, or a ballot issue committee.  
22 The bill provides that an independent expenditure requires  
23 one or more of such expenditures in excess of \$1,000 in the  
24 aggregate.



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**Senate File 136 - Introduced**

SENATE FILE 136  
BY DOTZLER

**A BILL FOR**

1 An Act exempting from the state sales tax the purchase price of  
2 tangible personal property sold and services furnished to a  
3 nonprofit food bank.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 1895XS (1) 86  
mm/sc





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1 Section 1. Section 423.3, Code 2015, is amended by adding  
2 the following new subsection:

3 NEW SUBSECTION. 101. The sales price from the sale or  
4 rental of tangible personal property, or services furnished,  
5 to a nonprofit food bank, which tangible personal property  
6 or services are to be used by the nonprofit food bank for a  
7 charitable purpose. For purposes of this subsection, "*nonprofit*  
8 *food bank*" means an organization organized under chapter 504  
9 and qualifying under section 501(c)(3) of the Internal Revenue  
10 Code as an organization exempt from federal income tax under  
11 section 501(a) of the Internal Revenue Code that maintains  
12 an established operation involving the provision of food or  
13 edible commodities or the products thereof on a regular basis  
14 to persons in need or to food pantries, soup kitchens, hunger  
15 relief centers, or other food or feeding centers that, as an  
16 integral part of their normal activities, provide meals or food  
17 on a regular basis to persons in need.

18 EXPLANATION

19 The inclusion of this explanation does not constitute agreement with  
20 the explanation's substance by the members of the general assembly.

21 This bill exempts from the sales tax the purchase price from  
22 the sale or rental of tangible personal property, or services  
23 furnished, to a nonprofit food bank if the property or services  
24 are to be used by the nonprofit food bank for a charitable  
25 purpose. "Nonprofit food bank" is defined in the bill.

26 By operation of Code section 423.6, an item exempt from the  
27 imposition of the sales tax is also exempt from the use tax  
28 imposed in Code section 423.5.

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**Senate File 137 - Introduced**

SENATE FILE 137

BY BERTRAND, ANDERSON,  
SCHULTZ, SINCLAIR,  
COSTELLO, FEENSTRA,  
SHIPLEY, KRAAYENBRINK,  
CHELGREN, BEHN, BREITBACH,  
GARRETT, SEGEBART,  
KAPUCIAN, ZAUN, CHAPMAN,  
ROZENBOOM, GUTH, DIX,  
ZUMBACH, WHITVER, SMITH,  
JOHNSON, and SCHNEIDER

**A BILL FOR**

1 An Act relating to the justifiable use of reasonable force and  
2 providing a remedy.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 1342XS (3) 86  
jm/rj



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S.F. 137

1 Section 1. Section 704.1, Code 2015, is amended to read as  
2 follows:

3 **704.1 Reasonable force.**

4 1. "Reasonable force" is means that force and no more which  
5 a reasonable person, in like circumstances, would judge to  
6 be necessary to prevent an injury or loss and can include  
7 deadly force if it is reasonable to believe that such force is  
8 necessary to avoid injury or risk to one's life or safety or  
9 the life or safety of another, or it is reasonable to believe  
10 that such force is necessary to resist a like force or threat.

11 2. Reasonable force, including deadly force, may be used  
12 even if an alternative course of action is available if the  
13 alternative entails a risk to life or safety, or the life or  
14 safety of a third party, ~~or requires one to abandon or retreat~~  
15 ~~from one's dwelling or place of business or employment.~~

16 3. A person may be wrong in the estimation of the danger or  
17 the force necessary to repel the danger as long as there is a  
18 reasonable basis for the belief of the person and the person  
19 acts reasonably in the response to that belief.

20 4. A person who is not engaged in illegal activity has no  
21 duty to retreat from any place where the person is lawfully  
22 present before using force as specified in this chapter.  
23 A finder of fact shall not be permitted to consider the  
24 possibility of retreat as a factor in determining whether or  
25 not a person who used force reasonably believed that the force  
26 was necessary to prevent injury, loss, or risk to life or  
27 safety.

28 Sec. 2. Section 704.2, Code 2015, is amended by adding the  
29 following new subsection:

30 NEW SUBSECTION. 1A. A threat to cause serious injury  
31 or death, by the production, display, or brandishing of a  
32 deadly weapon, is not deadly force, as long as the actions of  
33 the person are limited to creating an expectation that the  
34 person may use deadly force to defend oneself, another, or as  
35 otherwise authorized by law.

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1     Sec. 3. NEW SECTION.   704.2A   Justifiable use of deadly  
2   force.

3     1. For purposes of this chapter, a person is presumed to  
4 reasonably believe that deadly force is necessary to avoid  
5 injury or risk to one's life or safety or the life or safety of  
6 another in either of the following circumstances:

7     a. The person against whom force is used, at the time the  
8 force is used, is doing any of the following:

9       (1) Unlawfully entering by force or stealth, or has  
10 unlawfully entered by force or stealth and remains within the  
11 dwelling, place of business or employment, or occupied vehicle  
12 of the person using force.

13      (2) Unlawfully removing or is attempting to unlawfully  
14 remove another person against the other person's will from the  
15 dwelling, place of business or employment, or occupied vehicle  
16 of the person using force.

17     b. The person using force knows or has reason to believe  
18 that any of the conditions set forth in paragraph "a" are  
19 occurring or have occurred.

20     2. The presumption set forth in subsection 1 does not  
21 apply if, at the time force is used, any of the following  
22 circumstances are present:

23     a. The person using defensive force is engaged in a  
24 criminal offense, is attempting to escape from the scene of a  
25 criminal offense that the person has committed, or is using the  
26 dwelling, place of business or employment, or occupied vehicle  
27 to further a criminal offense.

28     b. The person sought to be removed is a child or grandchild  
29 or is otherwise in the lawful custody or under the lawful  
30 guardianship of the person against whom force is used.

31     c. The person against whom force is used is a peace officer  
32 who has entered or is attempting to enter a dwelling, place  
33 of business or employment, or occupied vehicle in the lawful  
34 performance of the peace officer's official duties, and the  
35 person using force knows or reasonably should know that the

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1 person who has entered or is attempting to enter is a peace  
2 officer.

3     *d.* The person against whom the force is used has the right  
4 to be in, or is a lawful resident of, the dwelling, place of  
5 business or employment, or occupied vehicle of the person using  
6 force, and a protective or no-contact order is not in effect  
7 against the person against whom the force is used.

8     Sec. 4. Section 704.3, Code 2015, is amended to read as  
9 follows:

10     **704.3 Defense of self or another.**

11     A person is justified in the use of reasonable force when  
12 the person reasonably believes that such force is necessary to  
13 defend oneself or another from any actual or imminent use of  
14 unlawful force.

15     Sec. 5. NEW SECTION. **704.4A Immunity for justifiable use of**  
16 **force.**

17     1. As used in this section, "*criminal prosecution*" means  
18 arrest, detention, charging, or prosecution.

19     2. A person who uses reasonable force pursuant to this  
20 chapter shall be immune from any criminal prosecution or civil  
21 action for using such force.

22     3. A law enforcement agency may use standard investigating  
23 procedures for investigating the use of force, but the law  
24 enforcement agency shall not arrest a person for using force  
25 unless the law enforcement agency determines there is probable  
26 cause that the force was unlawful under this chapter.

27     4. The court shall award reasonable attorney fees, court  
28 costs, compensation for loss of income, and all expenses  
29 incurred by the defendant in defense of any civil action  
30 brought by the plaintiff if the court finds that the defendant  
31 is immune from prosecution as provided in subsection 2.

32     Sec. 6. Section 704.7, Code 2015, is amended to read as  
33 follows:

34     **704.7 Resisting ~~forcible~~ violent felony.**

35     1. As used in this section, "*violent felony*" means any

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1 felonious sexual abuse involving compulsion or the use of a  
2 weapon or any felonious assault, murder, kidnapping, robbery,  
3 arson, or burglary.

4 2. A person who ~~knows~~ reasonably believes that a ~~foreible~~  
5 violent felony is being or will imminently be perpetrated is  
6 justified in using, ~~against the perpetrator,~~ reasonable force,  
7 including deadly force, against the perpetrator or perpetrators  
8 to prevent the completion of or terminate the perpetration of  
9 that felony.

10 Sec. 7. REPEAL. Section 707.6, Code 2015, is repealed.

11 EXPLANATION

12 The inclusion of this explanation does not constitute agreement with  
13 the explanation's substance by the members of the general assembly.

14 Current law provides that a person may use reasonable force,  
15 including deadly force, even if an alternative course of action  
16 is available if the alternative entails a risk of life or  
17 safety, or the life or safety of a third party, or requires one  
18 to abandon or retreat from one's residence or place of business  
19 or employment.

20 This bill provides that a person may use reasonable force,  
21 including deadly force, if it is reasonable to believe such  
22 force is necessary to avoid injury or risk to one's life or  
23 safety or the life or safety of another, even if an alternative  
24 course of action is available if the alternative entails a risk  
25 to life or safety, or the life or safety of a third party.

26 The bill provides that a person may be wrong in the  
27 estimation of the danger or the force necessary to repel the  
28 danger as long as there is a reasonable basis for the belief  
29 and the person acts reasonably in the response to that belief.

30 The bill further provides that a person who is not engaged in  
31 an illegal activity has no duty to retreat from any place where  
32 the person is lawfully present before using force. The bill  
33 prohibits a finder of fact from considering the possibility of  
34 retreat as a factor in determining whether or not a person who  
35 used force reasonably believed that the force was necessary to

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1 prevent injury, loss, or risk to life or safety.

2 The bill provides that a threat to cause serious injury  
3 or death by the production, display, or brandishing of a  
4 deadly weapon, is not deadly force, as long as the actions of  
5 the person are limited to creating an expectation that the  
6 person may use deadly force to defend oneself, another, or as  
7 otherwise authorized by law.

8 The bill creates presumptions for the justifiable use of  
9 deadly force in certain circumstances.

10 Under the bill, a person is presumed to be justified in  
11 using deadly force if the person reasonably believes that  
12 deadly force is necessary to avoid injury or risk to one's  
13 life or safety or the life or safety of another under the  
14 following circumstances: the person against whom force is used  
15 is unlawfully entering by force or stealth, or has unlawfully  
16 entered by force or stealth and remains within a dwelling,  
17 place of business or employment, or occupied vehicle of the  
18 person using force; or the person against whom force is used  
19 is unlawfully removing or attempting to remove another person  
20 against the other person's will from a dwelling, place of  
21 business or employment, or occupied vehicle of the person using  
22 force. In addition, the person using force must know or have  
23 reason to believe that the aforementioned circumstances are  
24 occurring or have occurred.

25 The presumption of the use of justifiable deadly force  
26 under the bill does not apply at the time force is used in the  
27 following circumstances: the person using defensive force is  
28 engaged in a criminal offense or activity; the person sought  
29 to be removed is a child or grandchild or is otherwise in the  
30 lawful custody of the person against whom force is used; the  
31 person against whom force is used is a peace officer who has  
32 entered or is attempting to enter a dwelling, place of business  
33 or employment, or occupied vehicle in the lawful performance  
34 of the peace officer's official duties, and the person using  
35 force knows or reasonably should know that the person who has

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1 entered or is attempting to enter is a peace officer; or the  
2 person against whom force is used has the right to be in, or  
3 is a lawful resident of, the dwelling, place of business or  
4 employment, or occupied vehicle of the person using force, and  
5 a protective or no-contact order is not in effect against the  
6 person against whom the force is used.

7 The bill provides that a person is justified in the use of  
8 reasonable force when the person reasonably believes that such  
9 force is necessary to defend oneself or another from any actual  
10 as well as imminent use of unlawful force.

11 The bill repeals Code section 707.6 and consolidates  
12 criminal and civil immunity provisions in new Code section  
13 704.4A. Under the bill, a person who uses reasonable force  
14 shall be immune from any criminal prosecution or civil action  
15 for using such force.

16 Under the bill, a law enforcement agency shall not arrest a  
17 person for using force unless it determines there is probable  
18 cause that the force was unlawful under Code chapter 704.

19 The bill also provides that if a defendant is sued by a  
20 plaintiff for using reasonable force, the court shall award the  
21 defendant reasonable attorney fees, court costs, compensation  
22 for loss of income, and expenses if the court finds the  
23 defendant is immune from prosecution.

24 The bill also provides that a person who reasonably  
25 believes that a violent felony is being or will imminently be  
26 perpetrated is justified in using reasonable force, including  
27 deadly force, against a perpetrator to prevent or terminate the  
28 perpetration of that felony. The bill defines "violent felony"  
29 to mean any felonious assault, murder, violent or forced sexual  
30 abuse, kidnapping, robbery, arson, or burglary.





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**Senate File 138 - Introduced**

SENATE FILE 138  
BY JOCHUM

**A BILL FOR**

1 An Act relating to an assault that occurs between persons in  
2 an intimate relationship and the crime of domestic abuse  
3 assault and making penalties applicable.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 1359XS (1) 86  
rh/nh



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S.F. 138

1 Section 1. Section 708.2A, subsection 1, Code 2015, is  
2 amended to read as follows:

3 1. For the purposes of this chapter, *"domestic abuse*  
4 *assault"* means an assault, as defined in section 708.1, which  
5 is domestic abuse as defined in section 236.2, subsection 2,  
6 paragraph *"a"*, *"b"*, *"c"*, ~~or~~ *"d"*, or *"e"*.

7 EXPLANATION

8 The inclusion of this explanation does not constitute agreement with  
9 the explanation's substance by the members of the general assembly.

10 This bill relates to an assault that occurs between persons  
11 in an intimate relationship and the crime of domestic abuse  
12 assault.

13 The bill includes an assault, as defined in Code section  
14 708.1, that occurs between persons who are in an intimate  
15 relationship or who have been in an intimate relationship and  
16 who have had contact within the past year of the assault,  
17 in the definition of domestic abuse assault pursuant to Code  
18 section 708.2A. In determining whether persons are or have  
19 been in an intimate relationship, the court may consider the  
20 duration of the relationship, the frequency of interaction,  
21 whether the relationship has been terminated, and the nature of  
22 the relationship, characterized by either party's expectation  
23 of sexual or romantic involvement.

24 A person who commits domestic abuse assault commits a simple  
25 misdemeanor, a serious misdemeanor, an aggravated misdemeanor,  
26 or a class "D" felony depending upon the circumstances  
27 involved in the offense. A simple misdemeanor is punishable  
28 by confinement for no more than 30 days or a fine of at least  
29 \$65 but not more than \$625 or by both; a serious misdemeanor  
30 is punishable by confinement for no more than one year and a  
31 fine of at least \$315 but not more than \$1,875; an aggravated  
32 misdemeanor is punishable by confinement for no more than two  
33 years and a fine of at least \$625 but not more than \$6,250; and  
34 a class "D" felony is punishable by confinement for no more  
35 than five years and a fine of at least \$750 but not more than

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S.F. 138

1 \$7,500.



Iowa General Assembly  
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**Senate File 139 - Introduced**

SENATE FILE 139  
BY HORN

**A BILL FOR**

1 An Act providing for the issuance of a license to conduct  
2 gambling games at a gambling structure in which smoking is  
3 prohibited.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSE 1010XS (2) 86  
ec/nh





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**Senate File 140 - Introduced**

SENATE FILE 140  
BY TAYLOR

**A BILL FOR**

1 An Act relating to the acceptance of eligible patients into  
2 state mental health institutes and including effective date  
3 provisions.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSE 2036XS (3) 86  
rh/tm



Iowa General Assembly  
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S.F. 140

1 Section 1. 2013 Iowa Acts, chapter 138, section 153, as  
2 amended by 2014 Iowa Acts, chapter 1140, section 29, is amended  
3 to read as follows:

4 SEC. 153. MENTAL HEALTH INSTITUTES.

5 1. There is appropriated from the general fund of the  
6 state to the department of human services for the fiscal year  
7 beginning July 1, 2014, and ending June 30, 2015, the following  
8 amounts, or so much thereof as is necessary, to be used for the  
9 purposes designated:

10 ~~1.~~ a. For the state mental health institute at Cherokee for  
11 salaries, support, maintenance, and miscellaneous purposes, and  
12 for not more than the following full-time equivalent positions:

13 ..... \$ 6,031,934  
14 ..... FTEs 169.20

15 ~~2.~~ b. For the state mental health institute at Clarinda for  
16 salaries, support, maintenance, and miscellaneous purposes, and  
17 for not more than the following full-time equivalent positions:

18 ..... \$ 6,787,309  
19 ..... FTEs 86.10

20 ~~3.~~ c. For the state mental health institute at Independence  
21 for salaries, support, maintenance, and miscellaneous purposes,  
22 and for not more than the following full-time equivalent  
23 positions:

24 ..... \$ 10,484,386  
25 ..... FTEs 233.00

26 ~~4.~~ d. For the state mental health institute at Mount  
27 Pleasant for salaries, support, maintenance, and miscellaneous  
28 purposes, and for not more than the following full-time  
29 equivalent positions:

30 ..... \$ 1,417,796  
31 ..... FTEs 97.92

32 2. The department shall accept all eligible patients into  
33 the state mental health institutes through June 30, 2015.

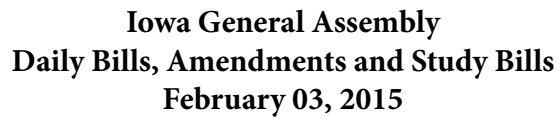
34 Sec. 2. EFFECTIVE UPON ENACTMENT. This Act, being deemed of  
35 immediate importance, takes effect upon enactment.

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1	EXPLANATION
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4     This bill directs the department of human services to accept  
5 all eligible patients to the state mental health institutes  
6 through June 30, 2015 (FY 2014-2015). Iowa has four mental  
7 health institutes located in Cherokee, Clarinda, Independence,  
8 and Mount Pleasant. All state mental health institutes provide  
9 short-term psychiatric care for severe symptoms of mental  
10 illness. Mount Pleasant also provides substance use disorder  
11 treatment.

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**Senate File 141 - Introduced**

SENATE FILE 141

BY TAYLOR, BOLKCOM, DOTZLER,  
DVORSKY, RAGAN, MATHIS,  
ALLEN, SODDERS, QUIRMBACH,  
HART, SCHOENJAHN, JOCHUM,  
GRONSTAL, COURTNEY,  
DEARDEN, HORN, WILHELM,  
PETERSEN, BISIGNANO,  
KINNEY, HOGG, McCOY, BRASE,  
and SENG

**A BILL FOR**

1 An Act requiring the Iowa finance authority to convene a  
2 multigenerational and sustainable living task force.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 2082XS (2) 86  
aw/sc



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S.F. 141

1     Section 1.   MULTIGENERATIONAL AND SUSTAINABLE LIVING TASK  
2   FORCE.

3     1.   The Iowa finance authority shall convene a task force  
4   to meet during the legislative interims of the Eighty-sixth  
5   General Assembly to address the barriers to aging in place for  
6   older Iowans and Iowans with disabilities and to facilitate  
7   the creation of additional multigenerational and sustainable  
8   housing in Iowa communities.

9     2.   a.   The task force shall consist of sixteen members,  
10   with four ex officio, nonvoting members, as provided in  
11   paragraph "b", and twelve voting members with one voting member  
12   representative of each of the following:

13       (1)   An older Iowan.

14       (2)   A person with a disability.

15       (3)   A community developer.

16       (4)   An architect.

17       (5)   An urban or regional planner.

18       (6)   A contractor with experience developing  
19   multigenerational and sustainable housing.

20       (7)   A contractor with experience renovating existing homes  
21   to facilitate aging in place.

22       (8)   A representative of a trade or professional  
23   organization involved in housing development.

24       (9)   A representative appointed by the Iowa Olmstead  
25   consumer task force.

26       (10)   A representative appointed by the university of Iowa  
27   clinical law programs.

28       (11)   A representative of the economic development  
29   authority.

30       (12)   A representative of the Iowa finance authority.

31     b.   The four ex officio, nonvoting members shall be members  
32   of the general assembly. Two members shall be from the senate  
33   and two members shall be from the house of representatives,  
34   with not more than one member from each chamber being from the  
35   same political party. The two senators shall be appointed

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1 by the president of the senate after consultation with  
2 the majority and minority leaders of the senate. The two  
3 representatives shall be appointed by the speaker of the house  
4 of representatives after consultation with the majority and  
5 minority leaders of the house of representatives.

6 c. The voting members representative of community  
7 developers, architects, and planners shall be required to  
8 possess expertise in universal design or certification by the  
9 national association of home builders as an aging-in-place  
10 specialist.

11 d. The voting members of the task force shall be paid a per  
12 diem in accordance with the compensation provisions established  
13 for committees pursuant to section 7E.6 and shall be reimbursed  
14 for actual and necessary expenses incurred while on official  
15 task force business.

16 3. a. During the first legislative interim of the  
17 Eighty-sixth General Assembly, the task force shall meet at  
18 least four times, once in each congressional district of the  
19 state, and shall do all of the following:

20 (1) Examine building and zoning codes at the local and  
21 state levels that present barriers to building new housing  
22 or modifying existing housing into multigenerational or  
23 sustainable homes.

24 (2) Identify previous or ongoing legislative or local  
25 initiatives in this state or other states and countries that  
26 facilitate the creation of multigenerational or sustainable  
27 housing.

28 (3) Examine policies, funding mechanisms, and tax  
29 incentives to encourage and support multigenerational or  
30 sustainable housing.

31 (4) Review and propose amendments to Iowa's consolidated  
32 plan required by the United States department of housing  
33 and urban development that outline initiatives to maximize  
34 opportunities to fund the creation of multigenerational or  
35 sustainable housing.

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1       (5) Identify skills, credentials, and training needed to  
2 certify and inspect existing structures and new construction  
3 for the use of universal design and sustainable principles,  
4 methods, and materials.

5       (6) Compile examples of best practice in design, features,  
6 products, and materials, and their associated costs for  
7 dissemination to architectural and building professionals and  
8 the general public.

9       (7) Explore the implementation of an Iowa living laboratory  
10 to construct new housing in four regions of the state through  
11 a design competition utilizing best practices in universal  
12 design and sustainability to construct single-family,  
13 duplex, condominium, free-standing multi-family apartments,  
14 or rehabilitated dwellings funded with federal community  
15 development or housing funds or other funds, programs, or  
16 incentives available for use at the state or local level.

17       (8) Examine the creation of a state housing authority  
18 to centralize planning and funding of government housing  
19 initiatives to ensure a better coordinated and cost-effective  
20 housing system.

21       b. The task force shall submit a report to the governor  
22 and the general assembly by December 15, 2015, that summarizes  
23 the information collected pursuant to and includes proposals  
24 required by this subsection.

25       4. a. During the second legislative interim of the  
26 Eighty-sixth General Assembly, the task force shall meet at  
27 least four times, once in each congressional district of the  
28 state, and shall develop recommendations regarding:

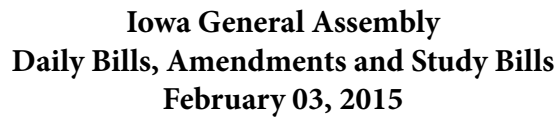
29       (1) The establishment of a statewide residential building  
30 code that incorporates at least minimum universal design,  
31 energy efficiency, and sustainability standards for new  
32 construction of housing or modifications to housing when state  
33 or federal funding is being utilized.

34       (2) The establishment of a minimum set of skills,  
35 credentials, and training needed to implement a voluntary

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1 assessment and certification program relating to universal  
2 design and sustainable housing construction and modification.

(4) The preparation and dissemination of educational materials relating to best practices in design, features, products, materials, and costs regarding universal design and sustainable housing to architects, developers, contractors, other building professionals, and to the general public using all available media, technologies, and alternate formats.

17 5. If approved by a simple majority of its members, the task  
18 force may schedule additional meetings during the legislative  
19 interims of the Eighty-sixth General Assembly.

21           The inclusion of this explanation does not constitute agreement with  
22           the explanation's substance by the members of the general assembly.

27 The task force consists of 16 members, with four ex officio,  
28 nonvoting legislative members, and 12 voting members. The  
29 voting membership must include an older Iowan, a person with  
30 a disability, a community developer, an architect, an urban  
31 or regional planner, a contractor with experience developing  
32 multigenerational and sustainable housing, a contractor with  
33 experience renovating existing homes to facilitate continued  
34 occupancy by an aging or disabled occupant, a representative  
35 of a trade or professional organization involved in developing

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1 housing, a representative of the Iowa Olmstead consumer  
2 taskforce, a representative of the university of Iowa clinical  
3 law programs, a representative of the Iowa economic development  
4 authority, and a representative of the Iowa finance authority.

5     The bill requires that the task force submit a report to  
6 the governor and the general assembly by December 15, 2015,  
7 that summarizes information and includes proposals specified  
8 in the bill to be addressed by the task force during the first  
9 legislative interim of the Eighty-sixth General Assembly.

10     The bill also requires that the task force submit a report  
11 to the governor and the general assembly by December 15, 2016,  
12 that includes the recommendations developed by the task force  
13 during the second legislative interim of the Eighty-sixth  
14 General Assembly.

15     The bill provides that voting members of the task force be  
16 paid a per diem in accordance with the compensation provisions  
17 established for committees pursuant to Code section 7E.6 and  
18 be reimbursed for actual and necessary expenses incurred while  
19 on official task force business. The bill also provides that  
20 the task force may schedule additional meetings during the  
21 respective legislative interims of the Eighty-sixth General  
22 Assembly, if approved by a simple majority of task force  
23 members.



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**Senate File 142 - Introduced**

SENATE FILE 142

BY TAYLOR, BOLKCOM, DOTZLER,  
DVORSKY, RAGAN, MATHIS,  
ALLEN, SODDERS, QUIRMBACH,  
HART, SCHOENJAHN, JOCHUM,  
GRONSTAL, COURTNEY,  
DEARDEN, HORN, WILHELM,  
PETERSEN, BISIGNANO,  
KINNEY, McCOY, SENG, and  
BRASE

**A BILL FOR**

1 An Act relating to elderly persons with aggressive or  
2 psychiatric behaviors in long-term care facilities.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 2083XS (2) 86  
rh/nh



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S.F. 142

1     Section 1. FACILITY FOR ELDERLY PERSONS WITH AGGRESSIVE OR  
2 PSYCHIATRIC BEHAVIORS — COMMITTEE — REPORT.

3     1. The department of inspections and appeals, in  
4 conjunction with the department of human services, shall  
5 establish and facilitate a committee of stakeholders to examine  
6 options for designating a facility to provide care for elderly  
7 persons in this state who are sexually aggressive, combative,  
8 or have unmet geropsychiatric needs.

9     2. The membership of the committee shall include but is not  
10 limited to the following:

11     a. Representatives of the departments of inspections and  
12 appeals, human services, corrections, public health, and aging,  
13 the state public defender, the office of ombudsman, the office  
14 of long-term care ombudsman, and the judicial branch.

15     b. Consumers of services provided by long-term care  
16 facilities and family members of consumers.

17     c. Representatives from leadingage Iowa, the Iowa health  
18 care association, and the Iowa association of community  
19 providers.

20     d. Direct care workers employed by long-term care  
21 facilities.

22     e. Representatives from Iowa legal aid.

23     f. Representatives from AARP Iowa.

24     g. Representatives from the Iowa civil liberties union.

25     h. Other stakeholders as the department of inspections and  
26 appeals and the department of human services deem appropriate.

27     3. The committee shall discuss whether a long-term care  
28 facility, as defined in section 142D.2, should have the  
29 ability to refuse admission to, or discharge, residents who are  
30 sexually aggressive, combative, or have unmet geropsychiatric  
31 needs. The committee shall consider options for establishment  
32 of a facility to provide care for persons who are sexually  
33 aggressive, combative, or have unmet geropsychiatric needs.  
34 The committee shall identify the characteristics of residents  
35 for such a facility, options for creating a new facility

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1 to house such residents, options for the expansion of an  
2 existing facility to house such residents, options for using  
3 any alternative facilities for such residents, the workforce  
4 and training necessary for the workforce in such facility,  
5 options to qualify a facility for Medicaid reimbursement, cost  
6 projections for any recommendations, and other information  
7 deemed relevant by the department of inspections and appeals.  
8 4. The committee shall provide a report detailing its  
9 findings and recommendations to the governor and the general  
10 assembly by December 15, 2015.

11 EXPLANATION

12 The inclusion of this explanation does not constitute agreement with  
13 the explanation's substance by the members of the general assembly.

14 This bill relates to housing of elderly persons who  
15 are sexually aggressive or combative or who have unmet  
16 geropsychiatric needs. The bill directs the department of  
17 inspections and appeals, in conjunction with the department  
18 of human services, to establish and facilitate a committee  
19 to address the placement or housing of such persons. The  
20 committee must identify the residents to be served; the need  
21 for a facility; options for creating a new facility, expanding  
22 an existing facility, or using any alternative facility for  
23 the purpose of housing the identified persons; the workforce  
24 and training needs for such a facility; options to qualify a  
25 facility for Medicaid reimbursement; cost projections for the  
26 recommendations; and other information deemed relevant by the  
27 department of inspections and appeals.  
28 The committee must provide a report of findings and  
29 recommendations to the governor and general assembly by  
30 December 15, 2015.



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**Senate File 143 - Introduced**

SENATE FILE 143  
BY McCOY and KAPUCIAN

**A BILL FOR**

1 An Act relating to an electric or natural gas vehicle facility  
2 tax credit and including effective date and retroactive  
3 applicability provisions.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSE 1380XS (5) 86  
da/sc



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1     Section 1. Section 422.7, Code 2015, is amended by adding  
2 the following new subsection:

3     NEW SUBSECTION. 51. *a.* A taxpayer taking a depreciation  
4 allowance under section 168 of the Internal Revenue Code for  
5 property described in section 422.11G is not allowed to take  
6 the allowance for purposes of this division to the extent that  
7 a tax credit is taken for the purchase and installation of  
8 the property under section 422.11G. If a credit is taken for  
9 the purchase and installation of the property under section  
10 422.11G, the taxpayer shall add the amount of the allowance  
11 taken on such property to the extent of the amount of the  
12 credit.

13    *b.* A taxpayer taking an expensing allowance under section  
14 179 of the Internal Revenue Code for property described in  
15 section 422.11G is not allowed to take the allowance for  
16 purposes of this division to the extent that a tax credit  
17 is taken for the purchase and installation of such property  
18 under section 422.11G. If a credit is taken for the purchase  
19 and installation of the property under section 422.11G, the  
20 taxpayer shall add the amount of the allowance taken on such  
21 property to the extent of the amount of the credit.

22    *c.* This subsection is repealed on January 1, 2020.

23    Sec. 2. NEW SECTION. 422.11G **Electric or natural gas**  
24 **vehicle facility tax credit.**

25    1. As used in this section, "*motor vehicle*" means the same  
26 as defined in section 322.2.

27    2. The taxes imposed under this division, less the credits  
28 allowed under section 422.12, shall be reduced by an electric  
29 or natural gas vehicle facility tax credit. In order to be  
30 eligible to claim the tax credit, the taxpayer must comply with  
31 this section and rules adopted by the director pursuant to  
32 chapter 17A necessary to administer and enforce this section.

33    3. *a.* The taxpayer claiming the tax credit on an  
34 agricultural basis as provided in subsection 9 must construct,  
35 install, and place in service any of the following:

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1 (1) An electric vehicle facility that serves a motor vehicle  
2 designed by a manufacturer to operate using electricity.

3 (2) A natural gas vehicle facility that serves a motor  
4 vehicle that is any of the following:

5 (a) Designed by the manufacturer to operate using  
6 compressed natural gas.

7 (b) Converted as an aftermarket alternative fuel vehicle  
8 to operate using compressed natural gas if the conversion  
9 equipment is certified by the United States environmental  
10 protection agency, including as provided in 40 C.F.R. pt. 85.

11 b. The taxpayer claiming the tax credit on a commercial  
12 basis as provided in subsection 9 must construct, install, and  
13 place in service any of the following:

14 (1) An electric vehicle facility that serves a motor vehicle  
15 designed by a manufacturer to operate using electricity.

16 (2) A natural gas vehicle facility that serves a motor  
17 vehicle that is any of the following:

18 (a) Designed by the manufacturer to operate using  
19 compressed natural gas.

20 (b) Converted as an aftermarket alternative fuel vehicle  
21 to operate using compressed natural gas if the conversion  
22 equipment is certified by the United States environmental  
23 protection agency, including as provided in 40 C.F.R. pt. 85.

24 c. The taxpayer claiming the tax credit on a residential  
25 basis as provided in subsection 9 must construct, install,  
26 and place in service an electric vehicle facility that serves  
27 a motor vehicle designed by a manufacturer to operate using  
28 electricity.

29 4. a. After verifying the eligibility for an electric or  
30 natural gas vehicle facility tax credit as provided in this  
31 section, the department of revenue shall issue the taxpayer an  
32 electric or natural gas vehicle facility tax credit certificate  
33 which must be attached to the taxpayer's tax return. An  
34 electric or natural gas vehicle facility tax credit certificate  
35 shall include all of the following:

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1     (1) The taxpayer's name, address, tax identification  
2 number, and any other information required by the department  
3 of revenue.

4     (2) A description of the infrastructure, equipment, or  
5 machinery being purchased and installed which is eligible for  
6 the tax credit to be claimed on the taxpayer's tax return.

7     (3) The amount of the tax credit being claimed.

8     **b.** The director shall adopt rules establishing criteria  
9 for the receipt of applications for electric or natural gas  
10 vehicle facility tax credit certificates and the issuance of  
11 those certificates. A tax credit certificate shall be issued  
12 in the taxpayer's name and shall expire on or after the last  
13 day of the taxable year for which the taxpayer is claiming the  
14 tax credit. A tax credit certificate is nontransferable.

15     5. The aggregate amount of electric or natural gas vehicle  
16 facility tax credit certificates that may be issued pursuant  
17 to this section shall not exceed five million dollars for all  
18 tax years that the tax credit is available under this section.  
19 The department shall issue the tax credit certificates on a  
20 first-come, first-served basis to qualified applicants as  
21 follows:

22     **a.** Two million dollars for electric vehicle facilities.

23     **b.** Two million dollars for natural gas vehicle facilities.

24     (1) Except as provided in subparagraph (2), a person is not  
25 entitled to apply for tax credit certificates for all natural  
26 gas vehicle facilities equal to more than two hundred thousand  
27 dollars.

28     (2) A person is not entitled to apply for tax credit  
29 certificates equal to more than four hundred thousand dollars  
30 for all natural gas vehicle facilities that are part of a  
31 business or businesses selling qualified compressed natural gas  
32 on a retail basis. A person is not eligible to apply for a tax  
33 credit under both this subparagraph and subparagraph (1).

34     **c.** One million dollars for electric vehicle facilities or  
35 natural gas vehicle facilities.

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1     *d.* Any moneys allocated under paragraph “*a*” or “*b*” that are  
2 unobligated or unexpended on July 1, 2017, for either electric  
3 vehicle facilities or natural gas vehicle facilities.

4     6. An electric or natural gas vehicle facility is limited  
5 to infrastructure, equipment, or machinery used to store,  
6 dispense, dry, and meter electricity or compressed natural  
7 gas. For electricity, it may include charging equipment,  
8 infrastructure, or batteries. For compressed natural gas, it  
9 may include pipes, compressors, dryers, or vaporizers.

10    7. The amount of the electric or natural gas vehicle  
11 facility tax credit equals thirty percent of the total cost to  
12 the taxpayer of purchasing the infrastructure, equipment, or  
13 machinery and thirty percent of the total cost to the taxpayer  
14 of installing the infrastructure, equipment, or machinery.

15    8. The electric or natural gas vehicle facility must comply  
16 with any applicable federal and state standards and the latest  
17 applicable and available ASTM international specifications.

18    9. The electric or natural gas vehicle facility tax credit  
19 may be claimed by a person on an agricultural, commercial, or  
20 residential basis as follows:

21     *a.* A person may claim the tax credit on an agricultural  
22 basis if the electric or natural gas vehicle facility is  
23 located on land primarily used in the production of a crop as  
24 defined in section 202.1 or livestock as defined in section  
25 717.1. The electric or natural gas vehicle facility must be  
26 used by an agricultural producer as defined in section 15E.202  
27 or a person under the management of the agricultural producer.  
28 The tax credit must be taken in equal installments in three  
29 consecutive tax years, beginning with the tax year in which the  
30 electric or natural gas vehicle facility is placed in service.  
31 If any part of the electric or natural gas vehicle facility  
32 is taken out of service and not immediately replaced, the tax  
33 credit expires and the taxpayer cannot take any remaining  
34 installment of the tax credit.

35     *b.* A person may claim the tax credit on a commercial basis

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1 if the electric or natural gas vehicle facility is part of a  
2 business selling qualified electricity or compressed natural  
3 gas on a retail basis, or may claim the tax credit if the  
4 electric or natural gas vehicle facility is used by a business  
5 for its own vehicle fleet or employees. The tax credit must  
6 be taken in equal installments in three consecutive tax years,  
7 beginning with the tax year in which the electric or natural  
8 gas vehicle facility is placed in service. If any part of  
9 the electric or natural gas vehicle facility is taken out of  
10 service and not immediately replaced, the tax credit expires  
11 and the taxpayer cannot take any remaining installment of the  
12 tax credit.

13     c. A person may claim the tax credit on a residential basis  
14 only for an electric vehicle facility that is for personal,  
15 family, or household use. The entire amount of the tax credit  
16 must be claimed in the tax year in which the electric vehicle  
17 facility is first placed in service.

18     10. Any tax credit in excess of the taxpayer's tax liability  
19 shall be refunded. In lieu of claiming a refund, the taxpayer  
20 may elect to have the overpayment shown on the taxpayer's  
21 final, completed return credited to the tax liability for the  
22 following tax year.

23     11. An individual may claim the tax credit allowed a  
24 partnership, limited liability company, S corporation, estate,  
25 or trust electing to have the income taxed directly to the  
26 individual. The amount claimed by the individual shall be  
27 based upon the pro rata share of the individual's earnings of  
28 the partnership, limited liability company, S corporation,  
29 estate, or trust.

30     12. A person shall not claim a tax credit under this section  
31 for an electric or natural gas vehicle facility that was placed  
32 in service on or after January 1, 2018. However, a person  
33 claiming the tax credit on an agricultural or commercial basis  
34 who placed the electric or natural gas vehicle facility in  
35 service prior to January 1, 2018, may continue to claim the tax

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1 credit for tax years ending on or after January 1, 2018, as  
2 provided in subsection 9, paragraph "a" or "b", as applicable.

3 13. This section is repealed on January 1, 2020.

4 Sec. 3. Section 422.33, Code 2015, is amended by adding the  
5 following new subsection:

6 NEW SUBSECTION. 11. The taxes imposed under this division  
7 shall be reduced by an electric or natural gas vehicle facility  
8 tax credit for each tax year that the taxpayer is eligible to  
9 claim the tax credit under this subsection.

10 a. The taxpayer must claim the tax credit on an agricultural  
11 or commercial basis in the same manner as provided in section  
12 422.11G. The taxpayer must claim the tax credit according  
13 to the same requirements, for the same amount, and for the  
14 same period as provided in section 422.11G. The amount of the  
15 tax credit shall be calculated in the same manner as provided  
16 in section 422.11G. A taxpayer claiming a tax credit on an  
17 agricultural or commercial basis is subject to the same penalty  
18 for taking the electric or natural gas vehicle facility out of  
19 service as provided in section 422.11G.

20 b. This subsection is repealed on January 1, 2020.

21 Sec. 4. Section 422.35, Code 2015, is amended by adding the  
22 following new subsection:

23 NEW SUBSECTION. 15. a. A taxpayer taking a depreciation  
24 allowance under section 168 of the Internal Revenue Code for  
25 property described in section 422.33, subsection 11, is not  
26 allowed to take the allowance for purposes of this division  
27 to the extent that a tax credit is taken for the purchase and  
28 installation of the property under section 422.33, subsection  
29 11. If a credit is taken for the purchase and installation of  
30 the property under section 422.33, subsection 11, the taxpayer  
31 shall add the amount of the allowance taken on such property to  
32 the extent of the amount of the credit.

33 b. A taxpayer taking an expensing allowance under section  
34 179 of the Internal Revenue Code for property described in  
35 section 422.33, subsection 11, is not allowed to take the

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1 allowance for purposes of this division to the extent that a  
2 tax credit is taken for the purchase and installation of such  
3 property under section 422.33, subsection 11. If a credit  
4 is taken for the purchase and installation of the property  
5 under section 422.33, subsection 11, the taxpayer shall add the  
6 amount of the allowance taken on such property to the extent of  
7 the amount of the credit.

8 c. This subsection is repealed on January 1, 2020.

9 Sec. 5. EFFECTIVE UPON ENACTMENT. This Act, being deemed of  
10 immediate importance, takes effect upon enactment.

11 Sec. 6. RETROACTIVE APPLICABILITY. This Act applies  
12 retroactively to January 1, 2015, for tax years beginning on  
13 or after that date.

14 EXPLANATION

15 The inclusion of this explanation does not constitute agreement with  
16 the explanation's substance by the members of the general assembly.

17 This bill creates an electric or natural gas vehicle  
18 facility tax credit for persons who construct, install, and  
19 place in service an electric vehicle facility or a natural  
20 gas vehicle facility. The amount of the tax credit is 30  
21 percent of the total cost of purchasing and of installing the  
22 facility. A person may claim the tax credit on an agricultural  
23 (farmer), commercial (business), or residential (personal,  
24 family, or household) basis. The bill provides that \$5 million  
25 is dedicated for the issuance of tax credit certificates which  
26 must be attached to a person's tax return in order to claim  
27 the tax credit. The bill establishes limits upon the amount  
28 of credit that a person may claim for either electric vehicle  
29 facilities or natural gas facilities. A person claiming the  
30 tax credit on an agricultural or commercial basis may claim  
31 the tax credit for the installation of an electric or natural  
32 gas facility. The person must claim one-third of the tax  
33 credit for each of three tax years. A person claiming the tax  
34 credit on a residential basis may claim the tax credit for the  
35 installation of an electric vehicle facility. The person must

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1 claim the tax credit in the tax year in which the electric  
2 vehicle facility was first placed in service. Any tax credit  
3 in excess of the taxpayer's tax liability is refundable or may  
4 be used in calculating a future tax liability.

5 The taxpayer must place the facility in service before  
6 January 1, 2018, but those taxpayers claiming on an  
7 agricultural or commercial basis may claim the tax credit for a  
8 previous installation after that date.

9 The aggregate amount of electric or natural gas vehicle  
10 facility tax credit certificates that may be issued cannot  
11 exceed \$5 million for all tax years that the tax credit  
12 is available. Two million dollars is allocated to support  
13 electric vehicle facilities, \$2 million is allocated to support  
14 natural gas facilities, and \$1 million is allocated to support  
15 either electric vehicle facilities or natural gas vehicle  
16 facilities. As of July 1, 2017, any remaining encumbered or  
17 expended moneys are also allocated to support either type of  
18 facility.

19 The tax credit applies retroactively to tax years beginning  
20 on and after January 1, 2015. The bill's provisions are  
21 repealed on January 1, 2020. The bill takes effect upon  
22 enactment.



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**Senate File 144 - Introduced**

SENATE FILE 144  
BY PETERSEN

**A BILL FOR**

1 An Act establishing a refugee family support services pilot  
2 program, making appropriations, and including effective date  
3 provisions.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 1145XS (7) 86  
rh/rj



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1 Section 1. NEW SECTION. 217.41A Refugee family support  
2 services pilot program.

3 1. The bureau of refugee services shall establish, promote,  
4 and administer a refugee family support services pilot program  
5 for purposes of providing grants to state, local, or community  
6 organizations working with refugee populations to contract  
7 with and train multiple refugees to act as refugee community  
8 navigators. Financial assistance under the program shall be  
9 provided from moneys allocated to the refugee family support  
10 services fund created in section 217.41B.

11 2. The organizations awarded a grant pursuant to this  
12 section shall recruit and train multiple refugee community  
13 navigators to educate and provide direct assistance to their  
14 respective refugee communities so the refugee communities can  
15 successfully access and utilize existing community resources  
16 and services.

17 3. The refugee community navigators shall train other  
18 refugee community members and shall offer home-based,  
19 peer-group learning sessions about resources in the community.

20 4. The grants awarded pursuant to this section shall be  
21 used for employment costs of a program manager and community  
22 navigator coordinator, and contract and stipend costs for  
23 multiple refugee community navigators for each organization.

24 5. The bureau of refugee services shall award four grants to  
25 state, local, or community organizations through a competitive  
26 application process. The bureau shall provide moneys over a  
27 three-year period to the organizations awarded a grant.

28 6. A state, local, or community organization awarded a grant  
29 pursuant to this section shall provide the state board with  
30 annual progress reports. The bureau of refugee services shall  
31 present a report of the program goals and outcomes of each  
32 awarded grant to the general assembly.

33 7. The bureau of refugee services shall conduct a  
34 comprehensive review of the refugee family support services  
35 pilot program and shall, by December 31, 2017, submit a

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1 report of its review, as well as any recommendations and cost  
2 projections of its recommendations to the governor and the  
3 general assembly.

4 8. The bureau of refugee services may expend program moneys  
5 for administrative expenses as provided by law.

6 Sec. 2. NEW SECTION. 217.41B Refugee family support  
7 services fund.

8 1. A refugee family support services fund is created in  
9 the state treasury under the control of the department. The  
10 fund includes but is not limited to amounts appropriated by  
11 the general assembly, and other moneys available from federal  
12 or private sources which are to be used for purposes of the  
13 refugee family support services pilot program established in  
14 section 217.41A.

15 2. Moneys remaining in the fund at the end of each fiscal  
16 year shall not revert to the general fund of the state but  
17 shall remain in the refugee family support services fund,  
18 notwithstanding section 8.33.

19 Sec. 3. REFUGEE FAMILY SUPPORT SERVICES PILOT PROGRAM  
20 APPROPRIATION. There is appropriated from the general fund of  
21 the state to the department of human services for the following  
22 fiscal years, the following amounts, or so much thereof as is  
23 necessary, to be used for the purposes designated:

24 For deposit in the refugee family support services fund  
25 created in section 217.41B to be used for the purposes of the  
26 refugee family support services pilot program established in  
27 section 217.41A:

28 FY 2015-2016.....	\$	746,400
29 FY 2016-2017.....	\$	746,400
30 FY 2017-2018.....	\$	746,400

31 Of the moneys appropriated for each fiscal year, \$40,000 may  
32 be used for bureau of refugee services' administration costs  
33 for establishing, promoting, and administering the program.

34 Sec. 4. 2013 Iowa Acts, chapter 141, section 54, subsection  
35 1, paragraph b, subparagraph (4), as amended by 2014 Iowa Acts,

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1 chapter 1135, section 29, is amended to read as follows:

2 (4) From the moneys appropriated in this paragraph,  
3 ~~\$210,000~~ \$500,000 shall be transferred to the department of  
4 human services for purposes of administering a pilot ~~project~~  
5 projects to provide access to international resources to Iowans  
6 and new Iowans to provide economic and leadership development  
7 resulting in Iowa being a more inclusive and welcoming place  
8 to live, work, and raise a family. The pilot ~~project~~ projects  
9 shall provide supplemental support services for international  
10 refugees to improve learning, literacy, cultural competencies,  
11 and ~~assimilation~~ integration in ~~10~~ 4 locations ~~within a county~~  
12 ~~with a population over 350,000 as determined by the 2010~~  
13 ~~federal decennial census~~. The department of human services  
14 shall utilize a request for proposals process to identify the  
15 ~~entity~~ entities best qualified to implement the pilot ~~project~~  
16 projects.

17 Sec. 5. EFFECTIVE UPON ENACTMENT. The section of this Act  
18 amending 2013 Iowa Acts, chapter 141, section 54, being deemed  
19 of immediate importance, takes effect upon enactment.

20 EXPLANATION

21 The inclusion of this explanation does not constitute agreement with  
22 the explanation's substance by the members of the general assembly.

23 This bill establishes a refugee family support services  
24 pilot program and makes appropriations. The bill directs the  
25 bureau of refugee services within the department of human  
26 services to establish and administer the refugee family support  
27 services pilot program to provide grants to state, local, or  
28 community organizations working with refugee populations for  
29 contracting with and training multiple refugees to act as  
30 refugee community navigators. The bill requires the grants  
31 to be used for employment costs of a program manager and a  
32 community navigator coordinator, and the contract and stipend  
33 costs for multiple refugee community navigators. The bill  
34 directs the bureau of refugee services to award four grants  
35 through a competitive application process and to provide

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1 funding for those organizations over a three-year period. The  
2 bill requires the organizations selected to provide the bureau  
3 with annual progress reports and requires the bureau to present  
4 an outcomes report to the general assembly.

5 The bill appropriates \$746,400 from the general fund of  
6 the state to the department of human services in fiscal years  
7 2015-2016, 2016-2017, and 2017-2018, for deposit in the refugee  
8 family support services fund created in the bill to be used for  
9 purposes of the program established in the bill.

10 The bill increases the amount of moneys transferred to the  
11 department of human services from an appropriation from the  
12 Iowa skilled worker and job creation fund created in Code  
13 section 9.75 to the department of education for an organization  
14 to provide resources and support services for international  
15 refugees for FY 2014-2015. The bill increases the number of  
16 projects and decreases the number of locations that may provide  
17 such supplemental support services for international refugees.  
18 These provisions are made immediately effective.



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**Senate Resolution 5 - Introduced**

SENATE RESOLUTION NO. 5

BY SODDERS

1 A Resolution supporting an enhanced trade relationship  
2 between Iowa and Cuba.

3 WHEREAS, Iowa leads the nation in corn production,  
4 pork production, and egg production, and is second  
5 in the nation in soybean production and red meat  
6 production; and

7 WHEREAS, Iowa is home to approximately one-third of  
8 the 100 largest food manufacturers or processors in the  
9 United States and Canada and the food industry accounts  
10 for approximately one-quarter of Iowa's manufacturing  
11 and employs more than 50,000 Iowans; and

12 WHEREAS, enhancing trade with Cuba would create a  
13 huge potential market for Iowa farmers and producers as  
14 Cuba relies on imports for approximately 80 percent of  
15 its food and the demand for food products, especially  
16 meat, will increase as economic conditions improve in  
17 Cuba; and

18 WHEREAS, advanced manufacturing drives Iowa's  
19 economy and is Iowa's largest industry with just under  
20 14 percent of Iowa's total employment resulting from  
21 manufacturing positions; and

22 WHEREAS, enhancing trade with Cuba could increase  
23 the need for advanced manufacturing products as Cuba  
24 maintains extensive functional antique automobile and  
25 farm machinery collections, which farm machinery will  
26 need to be replaced as Cuba takes steps to privatize  
27 more of its agricultural land; and

28 WHEREAS, Iowa has a long history of positive





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1 interaction with nondemocratic political nations to the  
2 benefit of Iowa's business interests without embracing  
3 those nations' political structures or approving human  
4 rights violations; and

5 WHEREAS, such positive interaction was demonstrated  
6 when Iowa received the Union of Soviet Socialist  
7 Republics Premier, Nikita Khrushchev in 1959, and in  
8 the positive relationship Iowa currently maintains with  
9 President Xi Jinping, the president of the People's  
10 Republic of China; and

11 WHEREAS, Cuba has a population of over 11 million  
12 people relying on imports for food, manufacturing,  
13 and production commodities, and increased trade could  
14 further Iowa's market opportunities while allowing  
15 the Cuban people to have access to better quality  
16 food, better machinery, better technology, and a more  
17 positive relationship with a democratic nation; NOW  
18 THEREFORE,

19 BE IT RESOLVED BY THE SENATE, That the Senate  
20 supports efforts to lessen and eliminate trade  
21 restrictions to Cuba; and

22 BE IT FURTHER RESOLVED, That the Senate supports an  
23 enhanced trade relationship between Iowa and Cuba for  
24 the benefit of both the people of Cuba and the people  
25 of Iowa.



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**Senate Study Bill 1131 - Introduced**

SENATE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE ON  
STATE GOVERNMENT BILL BY  
CHAIRPERSON DANIELSON)

**A BILL FOR**

1 An Act relating to expenditures of moneys from the E911  
2 emergency communications fund.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 1928XC (2) 86  
ad/rj



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1     Section 1. Section 34A.7A, subsection 2, Code 2015, is  
2 amended by adding the following new paragraph:  
3     NEW PARAGRAPH. *Ob.* (1) The program manager shall allocate  
4 to each joint E911 service board and to the department of  
5 public safety a minimum of one thousand dollars per calendar  
6 quarter for each public safety answering point within the  
7 service area of the department of public safety or joint E911  
8 service board that has submitted an annual written request to  
9 the program manager in a form approved by the program manager  
10 by May 15 of each year.  
11     (2) The amount allocated under this paragraph "*Ob*" shall be  
12 eighty-three percent of the total amount of surcharge generated  
13 per calendar quarter allocated as follows:  
14     (a) Sixty-five percent of the total dollars available for  
15 allocation shall be allocated in proportion to the square miles  
16 of the service area to the total square miles in this state.  
17     (b) Thirty-five percent of the total dollars available for  
18 allocation shall be allocated in proportion to the wireless  
19 E911 calls taken at the public safety answering point in  
20 the service area to the total number of wireless E911 calls  
21 originating in this state.  
22     (c) Notwithstanding subparagraph divisions (a) and (b), the  
23 minimum amount allocated to each joint E911 service board and  
24 to the department of public safety shall be no less than one  
25 thousand dollars for each public safety answering point within  
26 the service area of the department of public safety or joint  
27 E911 service board.  
28     (3) The funds allocated in this paragraph "*Ob*" shall be  
29 used for communication equipment utilized for the receipt and  
30 disposition of 911 calls.  
31     Sec. 2. Section 34A.7A, subsection 2, paragraph e, Code  
32 2015, is amended by striking the paragraph.  
33     Sec. 3. Section 34A.7A, subsection 2, paragraph f, Code  
34 2015, is amended to read as follows:  
35     *f.* If moneys remain in the fund after fully paying all

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1 obligations under paragraphs "a", "ob", "b", "c", and "d", and  
2 "e", the remainder may be accumulated in the fund as a carryover  
3 operating surplus. ~~This~~ The program manager, in consultation  
4 with the E911 communications council, shall allocate an amount,  
5 not to exceed one hundred thousand dollars per fiscal year,  
6 for development of public awareness and educational programs  
7 related to the use of 911 by the public, educational programs  
8 for personnel responsible for the maintenance, operation,  
9 and upgrading of local E911 systems, and the expenses of  
10 members of the E911 communications council for travel,  
11 monthly meetings, and training. The remaining surplus shall  
12 be used to fund future network and public safety answering  
13 point improvements, including hardware and software for an  
14 internet protocol-enabled next generation network, and wireless  
15 carriers' transport costs related to wireless E911 services, if  
16 those costs are not otherwise recovered by wireless carriers  
17 through customer billing or other sources and approved by the  
18 program manager in consultation with the E911 communications  
19 council. Notwithstanding section 8.33, any moneys remaining  
20 in the fund at the end of each fiscal year shall not revert to  
21 the general fund of the state but shall remain available for  
22 the purposes of the fund.

23 EXPLANATION

24 The inclusion of this explanation does not constitute agreement with  
25 the explanation's substance by the members of the general assembly.

26 This bill relates to the expenditure of moneys in the E911  
27 emergency communications fund. The bill reprioritizes the  
28 expenditures from the fund by moving the allocations to the  
29 joint E911 service board and to the department of public safety  
30 from fifth in the list of priority to second in the list of  
31 priority after the amount appropriated to the director of the  
32 department of homeland security and emergency management and  
33 program manager for implementation, support, and maintenance of  
34 the functions of the director and program manager. The bill  
35 also increases the percentage allocated from the total amount

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1 of surcharge generated per calendar quarter from 46 percent to  
2 83 percent. The bill also adds that from any surplus in the  
3 E911 emergency communications fund remaining after payment of  
4 the priorities, the E911 program manager, in consultation with  
5 the E911 communications council, shall allocate an amount not  
6 to exceed \$100,000 per fiscal year for development of public  
7 awareness and educational programs for the public, educational  
8 programs for personnel responsible for maintenance, operation,  
9 and upgrading of E911 systems, and for the expenses of members  
10 of the E911 communications council for travel, monthly  
11 meetings, and training.



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**Senate Study Bill 1132 - Introduced**

SENATE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE ON  
STATE GOVERNMENT BILL BY  
CHAIRPERSON DANIELSON)

**A BILL FOR**

1 An Act concerning disclosures of information by public  
2 employees and certain employees funded by public money.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TL5B 2056XC (2) 86  
ec/rj



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1 Section 1. Section 8A.417, subsection 4, Code 2015, is  
2 amended by striking the subsection and inserting in lieu  
3 thereof the following:

4 4. a. For purposes of this subsection, *"a disclosure of*  
5 *information permitted by this section"* includes any of the  
6 following:

7 (1) A disclosure of any information by the employee to a  
8 member or employee of the general assembly if the information  
9 can be used by the member or employee of the general assembly  
10 in the performance of the member's or employee's duties,  
11 regardless of whether the member or employee requested the  
12 information.

13 (2) A disclosure of information to any appropriate person  
14 if the employee reasonably believes the information evidences  
15 a violation of law or rule, mismanagement, a gross abuse of  
16 funds, an abuse of authority, or a substantial and specific  
17 danger to public health or safety.

18 b. A person shall not do any of the following as a  
19 reprisal against an employee in a position in a merit system  
20 administered by, or subject to approval of, the director, who  
21 makes a disclosure of information permitted by this section  
22 or who fails to inform the person that the employee made a  
23 disclosure of information permitted by this section:

24 (1) Discharge, suspend, or demote the employee, or take any  
25 other adverse employment action resulting in a reduction of the  
26 employee's pay.

27 (2) Fail to appoint or promote the employee to a position in  
28 the merit system or fail to take action regarding an advantage  
29 to the employee.

30 c. However, an employee may be required to inform the  
31 person that the employee made a disclosure of information  
32 permitted by this section if the employee represented that  
33 the disclosure was the official position of the employee's  
34 immediate supervisor or employer.

35 d. An employer subject to the requirements of this

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1 subsection shall inform the employer's employees on a regular  
2 basis of their rights to disclose information as provided in  
3 this subsection.

4 e. This subsection does not apply if the disclosure of the  
5 information is prohibited by statute.

6 Sec. 2. Section 8F.3, subsection 1, paragraph d, Code 2015,  
7 is amended to read as follows:

8 d. Information regarding any policies adopted by the  
9 governing body of the recipient entity that ensure compliance  
10 with section 70A.29 and that prohibit taking adverse employment  
11 action against employees of the recipient entity who disclose  
12 information about a service contract to the oversight agency,  
13 the auditor of state, the office of the attorney general, or  
14 the office of ombudsman and that state whether those policies  
15 are substantially similar to the protection provided to state  
16 employees under section 70A.28. The information provided shall  
17 state whether employees of the recipient entity are informed  
18 on a regular basis of their rights pursuant to section 70A.29  
19 and of their rights to disclose information to the oversight  
20 agency, the office of ombudsman, the auditor of state, or the  
21 office of the attorney general and the telephone numbers of  
22 those organizations.

23 Sec. 3. Section 70A.28, subsection 1, Code 2015, is amended  
24 to read as follows:

25 1. A person who serves as the head of a state department or  
26 agency or otherwise serves in a supervisory capacity within the  
27 executive or legislative branch of state government shall not  
28 prohibit an employee of the state from making a disclosure of  
29 information permitted by this section or require an employee  
30 of the state to inform the person that the employee made  
31 a disclosure of information permitted by this section and  
32 shall not prohibit an employee of the state from disclosing  
33 any information to a member or employee of the general  
34 assembly or from disclosing information to any other public  
35 official or law enforcement agency if the employee reasonably

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1 ~~believes the information evidences a violation of law or rule,~~  
2 ~~mismanagement, a gross abuse of funds, an abuse of authority,~~  
3 ~~or a substantial and specific danger to public health or~~  
4 ~~safety.~~ However, an employee may be required to inform the  
5 person that the employee made a disclosure of information  
6 permitted by this section if the employee represented that  
7 the disclosure was the official position of the employee's  
8 immediate supervisor or employer.

9 Sec. 4. Section 70A.28, subsection 2, Code 2015, is amended  
10 by striking the subsection and inserting in lieu thereof the  
11 following:

12 2. a. A person shall not do any of the following as  
13 a reprisal against an employee in a position in a state  
14 employment system administered by, or subject to approval of, a  
15 state agency, who makes a disclosure of information permitted  
16 by this section or who fails to inform the person that the  
17 employee made a disclosure of information permitted by this  
18 section:

19 (1) Discharge, suspend, or demote the employee, or take any  
20 other adverse employment action resulting in a reduction of the  
21 employee's pay.

22 (2) Fail to appoint or promote the employee to a position in  
23 the state employment system or fail to take action regarding  
24 an advantage to the employee.

25 b. However, an employee may be required to inform the  
26 person that the employee made a disclosure of information  
27 permitted by this section if the employee represented that  
28 the disclosure was the official position of the employee's  
29 immediate supervisor or employer.

30 Sec. 5. Section 70A.28, Code 2015, is amended by adding the  
31 following new subsection:

32 NEW SUBSECTION. 2A. For purposes of this section, "a  
33 *disclosure of information permitted by this section*" includes any  
34 of the following:

35 a. A disclosure of any information by the employee to a

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1 member or employee of the general assembly if the information  
2 can be used by the member or employee of the general assembly  
3 in the performance of the member's or employee's duties,  
4 regardless of whether the member or employee requested the  
5 information.

6     *b.* A disclosure of information to any appropriate person  
7 if the employee reasonably believes the information evidences  
8 a violation of law or rule, mismanagement, a gross abuse of  
9 funds, an abuse of authority, or a substantial and specific  
10 danger to public health or safety.

11     Sec. 6. Section 70A.28, subsection 5, paragraph a, Code  
12 2015, is amended to read as follows:

13     *a.* A person who violates subsection 2 is liable to  
14 an aggrieved employee for affirmative relief including  
15 reinstatement, with or without back pay, actual damages, or any  
16 other equitable relief the court deems appropriate, including  
17 attorney fees and costs.

18     Sec. 7. Section 70A.29, Code 2015, is amended by adding the  
19 following new subsection:

20     NEW SUBSECTION. 01. For purposes of this section, unless  
21 the context otherwise requires:

22     *a.* *"Disclosure of information permitted by this section"*  
23 includes any of the following:

24         (1) A disclosure of any information by the employee to a  
25 member or employee of the general assembly if the information  
26 can be used by the member or employee of the general assembly  
27 in the performance of the member's or employee's duties,  
28 regardless of whether the member or employee requested the  
29 information.

30         (2) A disclosure of information to any appropriate person  
31 if the employee reasonably believes the information evidences  
32 a violation of law or rule, mismanagement, a gross abuse of  
33 funds, an abuse of authority, or a substantial and specific  
34 danger to public health or safety.

35     *b.* *"Eligible employer"* means any of the following:

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1 (1) A political subdivision of this state.

2 (2) An entity organized under chapter 28E.

3 (3) A recipient entity as defined in section 8F.2.

4 Sec. 8. Section 70A.29, subsection 1, Code 2015, is amended  
5 by striking the subsection and inserting in lieu thereof the  
6 following:

7 1. a. A person shall not do any of the following as a  
8 reprisal against an employee in a position in employment by an  
9 eligible employer for a disclosure of information permitted by  
10 this section:

11 (1) Discharge, suspend, or demote the employee, or take any  
12 other adverse employment action resulting in a reduction of the  
13 employee's pay.

14 (2) Fail to appoint or promote the employee to a position in  
15 the employment or fail to take action regarding an advantage to  
16 the employee.

17 b. This section does not apply if the disclosure of the  
18 information is prohibited by statute.

19 Sec. 9. Section 70A.29, subsection 3, paragraph a, Code  
20 2015, is amended to read as follows:

21 a. A person who violates subsection 1 is liable to  
22 an aggrieved employee for affirmative relief including  
23 reinstatement, with or without back pay, actual damages, or any  
24 other equitable relief the court deems appropriate, including  
25 attorney fees and costs.

26 Sec. 10. Section 70A.29, Code 2015, is amended by adding the  
27 following new subsection:

28 NEW SUBSECTION. 4. An eligible employer subject to the  
29 requirements of this section shall inform the employer's  
30 employees on a regular basis of their rights to disclose  
31 information as provided in this section.

32 EXPLANATION

33 The inclusion of this explanation does not constitute agreement with  
34 the explanation's substance by the members of the general assembly.

35 This bill concerns whistleblower protection.

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1 Code sections 8A.417 and 70A.28 are amended to allow  
2 disclosure of information by a state employee to any  
3 appropriate person, and not just to a public official or law  
4 enforcement agency, if the employee believes the information  
5 evidences a violation of law, mismanagement, a gross abuse of  
6 funds, an abuse of authority, or a substantial and specific  
7 danger to public health or safety. The Code sections are  
8 amended to also prohibit action by the employer to discharge,  
9 suspend, demote, or take any other adverse employment action  
10 resulting in a reduction of pay of an employee making a  
11 disclosure pursuant to the Code sections. Code section 8A.417  
12 is also amended to require applicable employers to inform their  
13 employees of their rights concerning disclosures. Code section  
14 70A.28 is further amended to provide that actual damages may  
15 be awarded in an action seeking relief for a violation of the  
16 disclosure provisions of that Code section.

17 Code section 70A.29, concerning disclosures of information  
18 by an employee of a political subdivision, is amended to  
19 include employees of an entity created under Code chapter 28E  
20 and an intergovernmental entity or a private agency that enters  
21 into a service contract with an oversight agency to provide  
22 services which will be paid for with local governmental,  
23 state, or federal moneys, that is a recipient entity under  
24 Code chapter 8F governing service contracts. The Code  
25 section is also amended to allow disclosure of information  
26 by an applicable employee to any appropriate person, and not  
27 just to a public official or law enforcement agency, if the  
28 employee believes the information evidences a violation of law,  
29 mismanagement, a gross abuse of funds, an abuse of authority,  
30 or a substantial and specific danger to public health or  
31 safety. The Code section is also amended to prohibit action  
32 by an eligible employer to discharge, suspend, demote, or take  
33 any other adverse employment action resulting in a reduction  
34 of pay of an employee making a disclosure pursuant to the  
35 Code section, to provide that actual damages may be awarded

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1 in an action seeking relief for a violation of the disclosure  
2 provisions of the Code section, and to require eligible  
3 employers to inform their employees of their rights concerning  
4 disclosures. Code section 8F.3 is amended to reflect that  
5 employees of a recipient entity under this Code chapter are  
6 subject to the disclosure provisions of Code section 70A.29.



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**Senate Study Bill 1133 - Introduced**

SENATE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE ON  
STATE GOVERNMENT BILL BY  
CHAIRPERSON DANIELSON)

**A BILL FOR**

- 1 An Act concerning state employment hiring procedures.
- 2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1     Section 1. NEW SECTION.   **70A.21 State employment —**  
2 **designation of ineligibility procedures — penalty.**

3     1. A board, commission, agency, or department of the state  
4 that seeks to designate an individual as ineligible to apply  
5 for; to be considered, referred, or approved for; or to be  
6 appointed to employment by the state or any of its boards,  
7 commissions, agencies, or departments, shall do all of the  
8 following:

9     a. Maintain documentation of the designation of  
10 ineligibility, to include signatures from the individual's  
11 immediate supervisor and the applicable head of the board,  
12 commission, agency, or department, the extent of the  
13 individual's ineligibility for state employment, proof of  
14 notification of the individual, and any information concerning  
15 any appeals regarding the designation.

16    b. Notify the individual prior to or within ten days of  
17 discharge of the designation of ineligibility and the extent  
18 of the individual's ineligibility for state employment. The  
19 notification shall include information on the process for an  
20 individual to appeal, remove, or modify the designation of  
21 ineligibility.

22    2. Each board, commission, agency, or department of the  
23 state shall establish a process for an individual to appeal,  
24 remove, or modify a designation of ineligibility. Following  
25 a final determination by the board, commission, agency or  
26 department within the executive branch of the state relative  
27 to an appeal or attempt to remove or modify a designation of  
28 ineligibility by an individual, the individual may appeal to  
29 the public employment relations board created in section 20.5,  
30 for individuals subject to the jurisdiction of the board, and  
31 to an administrative law judge employed by the department of  
32 inspections and appeals, for all other individuals.

33    Sec. 2. NEW SECTION.   **70A.22 State employee hiring**  
34 **requirements.**

35    An employer of state employees shall establish procedures

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1 providing for the hiring of employees by the employer. The  
2 procedures shall provide for the public announcement of  
3 vacancies of the employer at least ten days in advance of the  
4 date fixed for the filing of applications for the vacancies  
5 and for the advertisement of the vacancies through the  
6 communications media.

7 **EXPLANATION**

8           The inclusion of this explanation does not constitute agreement with  
9           the explanation's substance by the members of the general assembly.

10       This bill concerns state employment hiring procedures.  
11       New Code section 70A.21 establishes procedures for state  
12 departments, boards, agencies, and commissions for designating  
13 an individual as ineligible to apply for state employment.  
14 The Code section requires the applicable employer to document  
15 the determination and provide notice within 10 days of the  
16 individual's discharge from state employment of the designation  
17 and the right of the individual to appeal the determination.  
18 The bill requires state executive branch employers to establish  
19 procedures for appealing designations of ineligibility for  
20 state employment with an appeal to the public employment  
21 relations board for individuals subject to the jurisdiction  
22 of the board, and to an administrative law judge employed  
23 by the department of inspections and appeals, for all other  
24 individuals.

25       New Code section 70A.22 requires an employer of state  
26 employees to establish procedures providing for the hiring of  
27 employees by the employer. The procedures shall provide for  
28 public announcement and advertisement of vacancies.





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**Senate Study Bill 1134 - Introduced**

SENATE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE ON  
STATE GOVERNMENT BILL BY  
CHAIRPERSON DANIELSON)

**A BILL FOR**

1 An Act establishing an address confidentiality program in the  
2 office of the secretary of state for a victim of domestic  
3 abuse, domestic abuse assault, sexual abuse, and stalking  
4 or for a person in fear of the person's safety or another  
5 person's safety.  
6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1     Section 1. NEW SECTION.   **9E.1 Definitions.**

2     As used in this chapter, unless the context otherwise  
3 requires:

4     1. "*Address*" means a residential street address, school  
5 address, or work address of an individual, as specified on the  
6 individual's application to be a program participant under this  
7 chapter.

8     2. "*Applicant*" means an adult, a parent or guardian acting  
9 on behalf of an eligible minor, or a guardian acting on behalf  
10 of an incapacitated person as defined in section 633.701.

11    3. "*Designated address*" means the post office box and lot  
12 numbered assigned to a program participant by the secretary.

13    4. "*Domestic abuse*" means the same as defined in section  
14 236.2.

15    5. "*Domestic abuse assault*" means the same as defined in  
16 section 708.2A.

17    6. *a.* "*Eligible person*" means a person who is a resident  
18 of this state and who is an adult, a minor, or an incapacitated  
19 person as defined in section 633.701, for whom there is good  
20 reason to believe any of the following:

21       (1) The person is a victim of domestic abuse, domestic abuse  
22 assault, sexual abuse, or stalking.

23       (2) The person fears for the person's safety, the safety of  
24 another person who resides in the same household, or the safety  
25 of persons on whose behalf the application is made.

26    *b.* For purposes of this subsection, a person determined to  
27 be a sexually violent predator pursuant to section 229A.7 or a  
28 similar law of another state is not an eligible person.

29    7. "*Mail*" means first-class letters and flats delivered  
30 via the United States postal service, including priority,  
31 express, and certified mail, and excluding packages,  
32 parcels, periodicals, and catalogues, unless they are clearly  
33 identifiable as pharmaceuticals or clearly indicate that they  
34 are sent by a state or county government agency.

35    8. "*Program*" means the address confidentiality program

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1 established in this chapter.

2 9. "*Program participant*" means an individual certified by  
3 the secretary as a program participant under section 9E.2.

4 10. "*Secretary*" means the secretary of state.

5 11. "*Sexual abuse*" means the same as defined in section  
6 709.1.

7 12. "*Stalking*" means the same as defined in section 708.11.

8 Sec. 2. NEW SECTION. **9E.2 Address confidentiality program.**

9 1. *Application.* The secretary shall certify an eligible  
10 person as a program participant if the secretary receives an  
11 application containing all of the following information:

12 a. The full legal name of the eligible person.

13 b. A statement by the applicant that the applicant has good  
14 reason to believe any of the following:

15 (1) Either of the following:

16 (a) The eligible person listed on the application is a  
17 victim of domestic abuse, domestic abuse assault, sexual abuse,  
18 or stalking.

19 (b) The eligible person fears for the person's safety, the  
20 safety of another person who resides in the same household as  
21 the eligible person, or the safety of persons on whose behalf  
22 the application is made.

23 (2) The eligible person is not applying for certification as  
24 a program participant in order to avoid prosecution.

25 c. A designation of the secretary as the agent for service  
26 of process and for the purpose of receipt of mail.

27 d. The telephone number or telephone numbers where the  
28 secretary can contact the applicant or eligible person.

29 e. The residential address of the eligible person,  
30 disclosure of which could lead to an increased risk of domestic  
31 abuse, domestic abuse assault, sexual abuse, or stalking.

32 f. If mail cannot be delivered to the residential address  
33 of the eligible person, the address to which mail can be sent  
34 to the eligible person.

35 g. A statement whether the eligible person would like

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1 information on becoming an ongoing absentee ballot recipient  
2 pursuant to section 9E.5.

3 *h.* A statement from the eligible person that gives  
4 the secretary consent to confirm the eligible person's  
5 participation in the program to a third party.

6 *i.* The signature of the applicant indicating the applicant's  
7 authority to act on behalf of the eligible person, if  
8 appropriate, and the name and signature of any individual or  
9 representative of any person who assisted in the preparation  
10 of the application.

11 *j.* The date the application was signed.

12 *k.* Any other information as required by the secretary  
13 pursuant to rule.

14 2. *Filing.* Applications shall be filed with the secretary.

15 3. *Certification.* Upon filing a complete application,  
16 the secretary shall certify the eligible person as a program  
17 participant. A program participant shall be certified for four  
18 years following the date the application is certified by the  
19 secretary unless the certification is canceled, withdrawn, or  
20 invalidated. The secretary shall establish by rule a renewal  
21 procedure for recertification.

22 4. *Changes in information.* A program participant or an  
23 applicant shall inform the secretary of any changes in the  
24 program participant's information submitted on the application.

25 5. *Designated address.* The secretary shall assign a  
26 designated address to which all mail for a program participant  
27 shall be sent.

28 6. *Attaining age of majority.* An individual who was a minor  
29 when the person was certified as a program participant is  
30 responsible for changes in information and renewal after the  
31 individual reaches the age of eighteen.

32 Sec. 3. NEW SECTION. 9E.3 **Certification cancellation.**

33 1. If the program participant obtains a legal change of  
34 identity, the program participant shall be decertified as a  
35 program participant.

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1     2. The secretary may cancel a program participant's  
2 certification under any of the following circumstances:

3     a. The program participant's legal name or contact  
4 information changes, unless the program participant provides  
5 the secretary with prior written notice of the name change or  
6 contact information.

7     b. Mail forwarded by the secretary to the program  
8 participant's address is returned as undeliverable by the  
9 United States postal service.

10    c. The program participant is no longer eligible for the  
11 program.

12    3. The secretary shall cancel a program participant's  
13 certification if the program participant's application contains  
14 false information.

15    Sec. 4. NEW SECTION. 9E.4 Use of designated address.

16    1. When a program participant presents the program  
17 participant's designated address to any person, that designated  
18 address shall be accepted as the address of the program  
19 participant. The person shall not require the program  
20 participant to submit any other address that could be used  
21 to physically locate the program participant either as a  
22 substitute address or in addition to the designated address,  
23 or as a condition of receiving a service or benefit, unless  
24 the service or benefit would be impossible to provide without  
25 knowledge of the program participant's physical location.

26    2. A program participant may use the designated address as  
27 the program participant's work address.

28    3. The secretary shall forward all mail sent to the  
29 designated address to the program participant.

30    4. If a program participant has notified a person in  
31 writing, on a form prescribed by the secretary, that the  
32 individual is a program participant and of the requirements  
33 of this section, the person shall not knowingly disclose the  
34 program participant's address, unless any of the following:

35    a. The person to whom the address is disclosed also lives,

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1 works, or goes to school at the address disclosed.

2     *b.* The program participant has provided written consent to  
3 disclosure of the program participant's name and address for  
4 the purpose for which the disclosure will be made.

5     Sec. 5. NEW SECTION. 9E.5 Voting by program participant —  
6 absentee ballot.

7     1. A program participant who is an eligible elector may  
8 register to vote with the state commissioner of elections,  
9 pursuant to section 48A.8, subsection 1. The name, address,  
10 and telephone number of a program participant shall not be  
11 listed in the statewide voter registration system.

12     2. *a.* A program participant who is otherwise eligible to  
13 vote may register with the state commissioner of elections as  
14 a permanent absentee voter under this section by submitting a  
15 permanent absentee voter application. As soon as practicable  
16 before each election, the state commissioner of elections shall  
17 determine the precinct in which the residential address of the  
18 program participant is located and shall request and receive  
19 from the county commissioner of elections the ballot for that  
20 precinct and shall forward the absentee ballot to the program  
21 participant with the other materials for absentee balloting as  
22 required of the county commissioner of elections by section  
23 53.8.

24     *b.* The program participant shall complete the ballot and  
25 return it to the state commissioner of elections, who shall  
26 review the ballot in the manner provided by sections 53.18  
27 and 53.19. If the materials comply with the requirements  
28 of section 53.18, the materials shall be certified by the  
29 state commissioner of elections as the ballot of a program  
30 participant, and shall be forwarded to the appropriate county  
31 commissioner of elections for tabulation by the special voters  
32 precinct election board appointed pursuant to section 53.23.

33     Sec. 6. NEW SECTION. 9E.6 Confidentiality of information.

34     1. *a.* Except as otherwise provided in subsection  
35 2, information collected, created, or maintained by the

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1 secretary related to applicants, eligible persons, and program  
2 participants is confidential unless otherwise ordered by a  
3 court or released by the lawful custodian of the records  
4 pursuant to state or federal law.

5     *b.* A program participant's name and address maintained  
6 by a local governmental body that is part of an ongoing  
7 investigation or inspection of an alleged health code,  
8 building code, fire code, or city ordinance violation  
9 allegedly committed by the program participant is confidential  
10 information.

11     2. Upon request from the department of public safety,  
12 the secretary may share confidential information with the  
13 department of public safety. Such confidential information  
14 received by the department of public safety may be released  
15 to a law enforcement agency upon verification that the  
16 release will aid the law enforcement agency in responding to  
17 an emergency situation, a criminal complaint, or an ongoing  
18 investigation.

19     3. This section shall not be construed to prohibit the  
20 dissemination of information relating to the program to any  
21 agency or organization if necessary for carrying out the  
22 official duties of the agency or organization, or to a person  
23 if disseminated for an official purpose, or to any other person  
24 if necessary to protect a person or property from a threat of  
25 imminent serious harm.

26     4. If a program participant has notified the program  
27 participant's landlord in writing that the individual is a  
28 program participant pursuant to this chapter, a local ordinance  
29 or the landlord shall not require the display of the program  
30 participant's name at an address otherwise protected under this  
31 chapter.

32     Sec. 7. Section 48A.8, subsection 1, Code 2015, is amended  
33 to read as follows:

34     1. An eligible elector may request that a voter registration  
35 form be mailed to the elector. The completed form may be

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1 mailed or delivered by the registrant or the registrant's  
2 designee to the commissioner in the county where the person  
3 resides or to the state commissioner of elections, as provided  
4 in section 9E.5. A separate voter registration form shall be  
5 signed by each individual registrant.

6 Sec. 8. Section 53.2, Code 2015, is amended by adding the  
7 following new subsection:

8 NEW SUBSECTION. 9. A registered voter who is a program  
9 participant under section 9E.5 may register to vote as a  
10 permanent absentee voter with the state commissioner of  
11 elections pursuant to section 9E.5, subsection 2.

12 EXPLANATION

13 The inclusion of this explanation does not constitute agreement with  
14 the explanation's substance by the members of the general assembly.

15 This bill establishes an address confidentiality program  
16 (program) in the office of the secretary of state (secretary)  
17 for a victim of domestic abuse, domestic abuse assault, sexual  
18 abuse, or stalking or for a person in fear of the person's  
19 safety or another person's safety.

20 CERTIFICATION AND DESIGNATED ADDRESS. Under the bill, an  
21 eligible person may submit an application for enrollment in  
22 the program to the secretary with certain required information  
23 including the applicant's residential address. "Eligible  
24 person" is defined as an Iowa resident who is an adult, a  
25 minor, or an incapacitated person for whom there is good reason  
26 to believe the person is a victim of domestic abuse, domestic  
27 abuse assault, sexual abuse, or stalking, as defined in the  
28 bill, or a person who fears for the person's safety, the safety  
29 of another person who resides in the person's household, or  
30 the safety of persons on whose behalf the application is  
31 made. When the secretary certifies the eligible person's  
32 enrollment in the program, the eligible person becomes a  
33 program participant for a four-year enrollment period and  
34 the secretary assigns the program participant a designated  
35 address. The secretary then forwards all mail sent to the

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1 designated address to the program participant at the program  
2 participant's preferred address for delivery of mail. When  
3 a program participant presents the program participant's  
4 designated address to any person, that designated address  
5 shall be accepted as the address of the program participant,  
6 unless a service or benefit received by the program participant  
7 would be impossible to provide without knowledge of the  
8 program participant's actual physical location. If a program  
9 participant notifies a person in writing that the individual is  
10 a program participant, the person is prohibited from knowingly  
11 disclosing the program participant's address unless certain  
12 circumstances apply.

13 CERTIFICATION CANCELLATION. The bill specifies  
14 circumstances under which the secretary may cancel a program  
15 participant's certification, including due to a legal name  
16 change or a change in contact information, undeliverable mail,  
17 eligibility requirement changes, and false information in the  
18 program participant's application. If the program participant  
19 obtains a legal change of identity, the program participant  
20 shall be decertified by the secretary as a program participant.

21 CONFIDENTIALITY. The bill provides that information  
22 collected, created, or maintained by the secretary related  
23 to applicants, eligible persons, and program participants is  
24 confidential unless otherwise ordered by a court or released  
25 by the lawful custodian of the records pursuant to state or  
26 federal law. Upon request from the department of public  
27 safety, the secretary may share confidential information  
28 with the department of public safety for release to a law  
29 enforcement agency upon verification that the release will  
30 aid the law enforcement agency in responding to an emergency  
31 situation, a criminal complaint, or an ongoing investigation.  
32 In addition, if a program participant has notified the program  
33 participant's landlord in writing that the individual is a  
34 program participant pursuant to the bill, a local ordinance  
35 or the landlord shall not require the display of the program

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1 participant's name at an address otherwise protected under the  
2 bill.

3 VOTING BY PROGRAM PARTICIPANT. The bill provides that a  
4 program participant who is an eligible elector may register  
5 to vote with the state commissioner of elections, although  
6 the name, residential address, and telephone number of a  
7 program participant shall not be listed in the statewide voter  
8 registration system. A program participant who is otherwise  
9 eligible to vote may register with the state commissioner of  
10 elections as a permanent absentee voter. If the materials  
11 comply with the requirements of that section, the materials  
12 shall be certified by the state commissioner of elections as  
13 the ballot of a program participant, and shall be forwarded to  
14 the appropriate county commissioner of elections for tabulation  
15 by the special voters precinct election board. The bill makes  
16 conforming changes to voter registration provisions.



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**Senate Study Bill 1135 - Introduced**

SENATE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE ON  
STATE GOVERNMENT BILL BY  
CHAIRPERSON DANIELSON)

**A BILL FOR**

1 An Act relating to the possession, sale, transfer, purchase,  
2 and use of fireworks and providing penalties.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 100.1, subsection 4, paragraph b, Code  
2 2015, is amended to read as follows:

3 b. The storage, transportation, handling, and use of  
4 flammable liquids, combustibles, fireworks, and explosives;

5 Sec. 2. Section 100.1, Code 2015, is amended by adding the  
6 following new subsection:

7 NEW SUBSECTION. 8. To order the suspension of the use  
8 of consumer fireworks, display fireworks, or novelties, as  
9 described in section 727.2, if the fire marshal determines that  
10 the use of such devices would constitute a threat to public  
11 safety.

12 Sec. 3. NEW SECTION. 100.19 Consumer fireworks seller  
13 licensing — penalty.

14 1. As used in this section:

15 a. “APA 87-1” means the American pyrotechnics association  
16 standard 87-1, as published in December 2001.

17 b. “Community group” means a nonprofit entity that is open  
18 for membership to the general public which is exempt from  
19 federal income taxation pursuant to section 501(c)(3) of the  
20 Internal Revenue Code or a fraternal benefit society, as that  
21 term is defined in section 512B.3.

22 c. “First-class consumer fireworks” means the following  
23 consumer fireworks, as described in APA 87-1, chapter 3:

24 (1) Aerial shell kits and reloadable tubes.

25 (2) Chasers.

26 (3) Helicopter and aerial spinners.

27 (4) Firecrackers.

28 (5) Mine and shell devices.

29 (6) Missile-type rockets.

30 (7) Roman candles.

31 (8) Sky rockets and bottle rockets.

32 (9) Multiple tube devices under this paragraph “c” that are  
33 manufactured in accordance with APA 87-1, section 3.5.

34 d. “Retailer” means an individual or entity engaged in  
35 this state in the business of selling consumer fireworks, as

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1 described in APA 87-1, chapter 3, on a retail basis.

2 e. "*Second-class consumer fireworks*" means the following  
3 consumer fireworks, as described in APA 87-1, chapter 3:

4 (1) Cone fountains.

5 (2) Cylindrical fountains.

6 (3) Flitter sparklers.

7 (4) Ground and hand-held sparkling devices, including  
8 multiple tube ground and hand-held sparkling devices that are  
9 manufactured in accordance with APA 87-1, section 3.5.

10 (5) Ground spinners.

11 (6) Illuminating torches.

12 (7) Toy smoke devices.

13 (8) Wheels.

14 (9) Wire or dipped sparklers.

15 2. a. The state fire marshal shall establish a consumer  
16 fireworks seller license. An application for a consumer  
17 fireworks seller license shall be made on a form provided  
18 by the state fire marshal. The state fire marshal shall  
19 adopt rules consistent with this section establishing minimum  
20 requirements for a retailer or community group to be issued a  
21 consumer fireworks seller license.

22 b. A person shall possess a consumer fireworks seller  
23 license under this section in order to sell consumer fireworks.

24 3. a. The state fire marshal shall establish a fee schedule  
25 for consumer fireworks seller licenses as follows:

26 (1) For a retailer who devotes fifty percent or more of  
27 the retailer's retail floor space to the sale or display of  
28 first-class consumer fireworks, an annual fee of four hundred  
29 dollars.

30 (2) For a retailer who devotes less than fifty percent of  
31 the retailer's retail floor space to the sale or display of  
32 first-class consumer fireworks, an annual fee of two hundred  
33 dollars.

34 (3) For a community group that offers for sale, exposes for  
35 sale, or sells first-class consumer fireworks, an annual fee

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1 of two hundred dollars.

2 (4) For a retailer or community group that offers for sale,  
3 exposes for sale, or sells second-class consumer fireworks,  
4 but not first-class consumer fireworks, an annual fee of  
5 twenty-five dollars.

6 b. A license issued to a retailer or community group  
7 pursuant to paragraph "a", subparagraph (1), (2), or (3), shall  
8 allow the licensee to sell both first-class consumer fireworks  
9 and second-class consumer fireworks.

10 4. The state fire marshal shall adopt rules to:

11 a. Require that any retailer or community group offering  
12 for sale at retail any consumer fireworks, as described in APA  
13 87-1, chapter 3, shall do so in accordance with the national  
14 fire protection association standard 1124, published in the  
15 code for the manufacture, transportation, storage, and retail  
16 sales of fireworks and pyrotechnic articles, 2006 edition.

17 b. Require that a retailer or community group to be issued a  
18 license pursuant to this section provide proof of and maintain  
19 public liability insurance and product liability insurance  
20 with minimum per occurrence coverage of at least five million  
21 dollars.

22 c. Permit a retailer or community group issued a license  
23 pursuant to this section to sell consumer fireworks, as  
24 described in APA 87-1, chapter 3, at the following locations  
25 as specified:

26 (1) At a permanent building that meets the requirements of  
27 paragraph "a", year-round.

28 (2) At a temporary structure that meets the requirements of  
29 paragraph "a" between June 13 and July 11 each year.

30 d. A retailer or community group shall not transfer consumer  
31 fireworks, as described in APA 87-1, chapter 3, to a person who  
32 is under eighteen years of age.

33 5. a. The state fire marshal shall adopt rules to provide  
34 that a person's consumer fireworks seller license may be  
35 revoked for the intentional violation of this section. The

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1 proceedings for revocation shall be held before the division  
2 of the state fire marshal, which may revoke the license or  
3 licenses involved as provided in paragraph "b".

4     **b.** (1) If, upon the hearing of the order to show cause,  
5 the division of the state fire marshal finds that the licensee  
6 intentionally violated this section, then the license or  
7 licenses under which the licensed retailer or community group  
8 sells first-class consumer fireworks or second-class consumer  
9 fireworks, shall be revoked.

10     (2) Judicial review of actions of the division of the  
11 state fire marshal may be sought in accordance with the terms  
12 of the Iowa administrative procedure Act, chapter 17A. If  
13 the licensee has not filed a petition for judicial review in  
14 district court, revocation shall date from the thirty-first  
15 day following the date of the order of the division of the  
16 state fire marshal. If the licensee has filed a petition for  
17 judicial review, revocation shall date from the thirty-first  
18 day following entry of the order of the district court, if  
19 action by the district court is adverse to the licensee.

20     (3) A new license or shall not be issued to a person whose  
21 license has been revoked, or to the business in control of the  
22 premises on which the violation occurred if it is established  
23 that the owner of the business had actual knowledge of the  
24 violation resulting in the license revocation, for the period  
25 of one year following the date of revocation.

26     6. **a.** A consumer fireworks seller license fee fund is  
27 created in the state treasury under the control of the state  
28 fire marshal. Notwithstanding section 12C.7, interest or  
29 earnings on moneys in the consumer fireworks seller license fee  
30 fund shall be credited to the consumer fireworks seller license  
31 fee fund. Moneys in the fund are appropriated to the state  
32 fire marshal to be used to fulfill the responsibilities of  
33 the state fire marshal for the administration and enforcement  
34 of this section and to provide grants pursuant to paragraph  
35 "b". The fund shall include the fees collected by the state

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1 fire marshal under the fee schedule established pursuant to  
2 subsection 3.

3     **b.** The state fire marshal shall establish a local fire  
4 protection and emergency medical service providers grant  
5 program to provide grants to local fire protection service  
6 providers and local emergency medical service providers to  
7 establish or provide fireworks safety education programming  
8 to members of the public. The state fire marshal may also  
9 provide grants to local fire protection service providers and  
10 local emergency medical service providers for the purchase  
11 of necessary enforcement, protection, or emergency response  
12 equipment related to the sale and use of consumer fireworks in  
13 this state.

14     **7.** The state fire marshal shall adopt rules for the  
15 administration of this section.

16     **8.** A person who violates a provision of this section or a  
17 rule adopted pursuant to this section is guilty of a simple  
18 misdemeanor.

19     **Sec. 4.** Section 101A.1, subsection 3, Code 2015, is amended  
20 to read as follows:

21     **3.** "*Explosive*" means any chemical compound, mixture  
22 or device, the primary or common purpose of which is to  
23 function by explosion with substantially instantaneous  
24 release of gas and heat, unless such compound, mixture, or  
25 device is otherwise specifically classified by the United  
26 States department of transportation. The term "*explosive*"  
27 includes all materials which are classified as a class 1,  
28 division 1.1, 1.2, 1.3, or 1.4 explosive by the United States  
29 department of transportation, under 49 C.F.R. §173.50, and all  
30 materials classified as explosive materials under 18 U.S.C.  
31 §841, and includes, but is not limited to, dynamite, black  
32 powder, pellet powders, initiating explosives, blasting caps,  
33 electric blasting caps, safety fuse, fuse lighters, fuse  
34 igniters, squibs, cordeau detonative fuse, instantaneous fuse,  
35 igniter cord, igniters, smokeless propellant, cartridges for

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1 propellant-actuated power devices, cartridges for industrial  
2 guns, and overpressure devices, but does not include ~~"fireworks"~~  
3 as "consumer fireworks", "display fireworks", or "novelties" as  
4 those terms are defined in section 727.2 or ammunition or small  
5 arms primers manufactured for use in shotguns, rifles, and  
6 pistols. Commercial explosives are those explosives which are  
7 intended to be used in commercial or industrial operations.

8 Sec. 5. Section 331.301, Code 2015, is amended by adding the  
9 following new subsection:

10 NEW SUBSECTION. 17. The board of supervisors may by  
11 resolution suspend the use of display fireworks, as described  
12 in section 727.2, if the board determines that the use of such  
13 devices would constitute a threat to public safety.

14 Sec. 6. Section 331.304, subsection 9, Code 2015, is amended  
15 to read as follows:

16 9. The board, upon application, may grant permits for the  
17 display use of display fireworks as provided in section 727.2.

18 Sec. 7. Section 461A.42, subsection 2, Code 2015, is amended  
19 to read as follows:

20 2. The use of consumer fireworks, display fireworks, and  
21 novelties, as defined in section 727.2, in state parks and  
22 preserves is prohibited except as authorized by a permit issued  
23 by the department. The commission shall establish, by rule  
24 adopted pursuant to chapter 17A, a fireworks permit system  
25 which authorizes the issuance of a limited number of permits to  
26 qualified persons to use or display fireworks in selected state  
27 parks and preserves.

28 Sec. 8. Section 727.2, Code 2015, is amended to read as  
29 follows:

30 **727.2 Fireworks.**

31 1. Definitions. For purposes of this section:

32 a. "Consumer fireworks" includes first-class consumer  
33 fireworks and second-class consumer fireworks as those terms  
34 are defined in section 100.19, subsection 1.

35 b. The term ~~"fireworks"~~ "Display fireworks" includes any

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1 explosive composition, or combination of explosive substances,  
2 or article prepared for the purpose of producing a visible  
3 or audible effect by combustion, explosion, deflagration,  
4 or detonation, and includes ~~blank cartridges, firecrackers,~~  
5 ~~torpedoes, skyrockets, roman candles, or other fireworks of~~  
6 ~~like construction and~~ fireworks containing any explosive or  
7 flammable compound, or other device containing any explosive  
8 substance. ~~The term "fireworks"~~ "Display fireworks" does not  
9 include ~~goldstar-producing sparklers on wires which contain~~  
10 ~~no magnesium or chlorate or perchlorate, flitter sparklers~~  
11 ~~in paper tubes that do not exceed one-eighth of an inch in~~  
12 ~~diameter, toy snakes which contain no mercury, or caps used~~  
13 ~~in cap pistols~~ novelties or consumer fireworks enumerated in  
14 chapter 3 of the American pyrotechnics association's standard  
15 87-1.

16 c. "Novelties" includes all novelties enumerated in chapter  
17 3 of the American pyrotechnics association's standard 87-1, and  
18 that comply with the labeling regulations promulgated by the  
19 United States consumer product safety commission.

20 2. Display fireworks.

21 a. A person, firm, partnership, or corporation who offers  
22 for sale, exposes for sale, sells at retail, or uses or  
23 explodes any display fireworks, commits a simple misdemeanor.  
24 ~~In addition to any other penalties, the punishment imposed~~  
25 ~~for a violation of this section shall include assessment~~  
26 ~~of, punishable by~~ a fine of not less than two hundred fifty  
27 dollars. However, the a city council of a city or a county  
28 board of supervisors may, upon application in writing, grant a  
29 permit for the display of display fireworks by municipalities,  
30 fair associations, amusement parks, and other organizations  
31 or groups of individuals approved by the city or the county  
32 board of supervisors when the display fireworks display will  
33 be handled by a competent operator, but no such permit shall  
34 be required for the display of display fireworks at the Iowa  
35 state fairgrounds by the Iowa state fair board, at incorporated

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1 county fairs, or at district fairs receiving state aid. Sales  
2 of display fireworks for such display may be made for that  
3 purpose only.

4 b. (1) A person who uses or explodes display fireworks  
5 while the use of such devices is suspended by a resolution  
6 adopted by the county in which the firework is used commits a  
7 simple misdemeanor, punishable by a fine of not less than two  
8 hundred fifty dollars.

9 (2) A person who uses or explodes display fireworks while  
10 the use of such devices is suspended by an order of the state  
11 fire marshal commits a simple misdemeanor, punishable by a fine  
12 of not less than two hundred fifty dollars.

13 3. Consumer fireworks and novelties.

14 a. A person or a firm, partnership, or corporation may  
15 possess, use, or explode consumer fireworks in accordance with  
16 this subsection and subsection 4.

17 b. A person, firm, partnership, or corporation who sells  
18 consumer fireworks to a person who is less than eighteen years  
19 of age commits a simple misdemeanor, punishable by a fine of  
20 not less than two hundred fifty dollars. A person who is less  
21 than eighteen years of age who purchases consumer fireworks  
22 commits a simple misdemeanor, punishable by a fine of not less  
23 than two hundred fifty dollars.

24 c. A person who uses or explodes consumer fireworks or  
25 novelties while the use of such devices is suspended by an  
26 order of the state fire marshal commits a simple misdemeanor,  
27 punishable by a fine of not less than two hundred fifty  
28 dollars.

29 4. Limitations.

30 a. A person shall not use or explode consumer fireworks at  
31 times other than between the hours of 9:00 a.m. and 10:00 p.m.,  
32 except that on the following dates consumer fireworks shall not  
33 be used at times other than between the hours of 9:00 a.m. and  
34 12:30 a.m. on the immediately following day:

35 (1) Memorial Day and the Saturday and Sunday immediately

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1 preceding that day.

2 (2) July 4 and the Saturdays and Sundays immediately  
3 preceding and following July 4.

4 (3) Labor Day and the Saturday and Sunday immediately  
5 preceding that day.

6 (4) December 31 and the Saturdays and Sundays immediately  
7 preceding and following December 31.

8 b. A person shall not use consumer fireworks on real  
9 property other than that person's real property or on the real  
10 property of a person who has consented to the use of consumer  
11 fireworks on that property.

12 c. A person who violates this subsection commits a simple  
13 misdemeanor punishable by a fine of not less than fifty dollars  
14 and not more than five hundred dollars.

15 3- 5. Applicability.

16 a. This section does not prohibit the sale by a resident,  
17 dealer, manufacturer, or jobber of such fireworks as are  
18 not prohibited by this section, or the sale of any kind of  
19 fireworks if they are to be shipped out of the state, or the  
20 sale or use of blank cartridges for a show or the theater,  
21 or for signal purposes in athletic sports or by railroads  
22 or trucks, for signal purposes, or by a recognized military  
23 organization.

24 b. This section does not apply to any substance or  
25 composition prepared and sold for medicinal or fumigation  
26 purposes.

27 c. Unless specifically provided otherwise, this section does  
28 not apply to novelties.

29 Sec. 9. EFFECTIVE DATE. This Act takes effect June 1, 2015.

30 EXPLANATION

31 The inclusion of this explanation does not constitute agreement with  
32 the explanation's substance by the members of the general assembly.

33 This bill provides for the legal sale and use of novelties  
34 and consumer fireworks within the state.

35 The bill provides that the state fire marshal has the duty to

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1 enforce all laws, and rules of the department of public safety  
2 concerned with the storage, transportation, handling, and use  
3 of fireworks.

4 Current law provides that a person, firm, partnership, or  
5 corporation who offers for sale, exposes for sale, sells at  
6 retail, or uses or explodes any fireworks, commits a simple  
7 misdemeanor. Current law, however, also provides that a county  
8 board of supervisors or the department of natural resources may  
9 grant a permit for the display of fireworks if the fireworks  
10 display will be handled by a competent operator. Current  
11 law further provides that the term "fireworks" includes any  
12 explosive composition, or combination of explosive substances,  
13 or article prepared for the purpose of producing a visible  
14 or audible effect by combustion, explosion, deflagration,  
15 or detonation, including blank cartridges, firecrackers,  
16 torpedoes, skyrockets, roman candles, or other fireworks of  
17 like construction and fireworks containing any explosive or  
18 flammable compound, or other device containing any explosive  
19 substance with limited exceptions.

20 The bill maintains these restrictions for display fireworks  
21 and provides that the term "display fireworks" shall not  
22 include novelties or consumer fireworks. The bill provides  
23 definitions for the terms "novelties" and "consumer fireworks".

24 The bill requires that the state fire marshal establish  
25 a consumer fireworks seller license, and requires possession  
26 of such a license to legally sell consumer fireworks in this  
27 state. The state fire marshal is required to establish a fee  
28 schedule for consumer fireworks seller licenses. The bill  
29 establishes two classes of consumer fireworks and requires  
30 a \$400 annual licensing fee for a retailer who devotes 50  
31 percent or more of the retailer's retail floor space to the  
32 sale or display of first-class consumer fireworks. Retailers  
33 who devote less than 50 percent of the retailer's retail  
34 floor space to the sale or display of first-class consumer  
35 fireworks are required to pay an annual licensing fee of \$200.

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1 A community group that sells first-class consumer fireworks  
2 is required to pay an annual licensing fee of \$200. The  
3 bill requires an annual licensing fee of \$25 for retailers  
4 or community groups that sell only second-class consumer  
5 fireworks.

6 The bill requires that the state fire marshal adopt rules  
7 to require that licensed retailers and community groups only  
8 offer consumer fireworks for sale in accordance with specified  
9 industry standards. The bill also requires that retailers and  
10 community groups provide proof of and maintain public liability  
11 and public liability insurance. Under the bill, the state fire  
12 marshal is required to adopt rules to permit licensed retailers  
13 and community groups to sell consumer fireworks at conforming  
14 permanent buildings on a year-round basis and at conforming  
15 temporary structures from June 13 to July 11 each year.

16 The bill also provides for the revocation of a consumer  
17 fireworks seller license for the intentional violation of  
18 licensing requirements. The bill establishes procedures  
19 for the revocation of such licenses and procedures for  
20 review for such revocations. The bill also establishes a  
21 consumer fireworks seller license fee fund under the control  
22 of the state fire marshal. The fund shall consist of the  
23 fees collected for the licensing of retailers and community  
24 groups. The fund is required to be used for administration  
25 and enforcement of the state fire marshal's consumer fireworks  
26 related duties and to provide grants to local fire protection  
27 and emergency medical service providers.

28 Under the bill, a violation of a licensing provision  
29 established in Code or by rule is considered a simple  
30 misdemeanor. A simple misdemeanor is punishable by confinement  
31 for no more than 30 days or a fine of at least \$65 but not more  
32 than \$625, or by both.

33 The bill provides that a person or a firm, partnership, or  
34 corporation may possess consumer fireworks as provided in the  
35 bill. The bill provides that a person, firm, partnership, or

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1 corporation who sells any consumer firework to a person who  
2 is less than 18 years of age commits a simple misdemeanor.  
3 A person who is less than 18 years of age who purchases any  
4 consumer fireworks commits a simple misdemeanor. A simple  
5 misdemeanor is generally punishable by confinement for no more  
6 than 30 days or a fine of at least \$65 but not more than \$625 or  
7 by both, but the bill provides for a fine of a least \$250.

8 The bill provides that the state fire marshal may order the  
9 suspension of the use of consumer fireworks, display fireworks,  
10 or novelties if the fire marshal determines that the use of  
11 such devices would constitute a threat to public safety. The  
12 bill also provides that a county board of supervisors may adopt  
13 a resolution to suspend the use of display fireworks. The bill  
14 provides that a person who violates such an order by the state  
15 fire marshal or resolution of a county board of supervisors  
16 commits a simple misdemeanor, punishable by a fine of at least  
17 \$250.

18 The bill also provides certain restrictions on the use  
19 or explosion of consumer fireworks. The bill prohibits the  
20 use or explosion of consumer fireworks at a time other than  
21 between the hours of 9:00 a.m. and 10:00 p.m., except on  
22 Memorial Day, the 4th of July, Labor Day, and New Year's Eve,  
23 and weekend days near such holidays. On specified days, the  
24 use or explosion of consumer fireworks is prohibited except  
25 between the hours of 9:00 a.m. and 12:30 a.m. on the following  
26 day. The bill further prohibits the use of fireworks by a  
27 person on the real property of another person unless the owner  
28 of the real property has consented to such use. Under the  
29 bill, a violation of these restrictions is considered a simple  
30 misdemeanor punishable by a fine of not less than \$50 and not  
31 more than \$500.

32 The bill will take effect June 1, 2015.

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**Senate Study Bill 1136 - Introduced**

SENATE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE ON  
HUMAN RESOURCES BILL BY  
CHAIRPERSON MATHIS)

**A BILL FOR**

1 An Act relating to child care provider reimbursement rates  
2 under the state child care assistance program.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. CHILD CARE ASSISTANCE PROVIDERS REIMBURSED  
2 UNDER THE DEPARTMENT OF HUMAN SERVICES. For the fiscal year  
3 beginning July 1, 2015, for child care providers reimbursed  
4 under the state child care assistance program, the department  
5 shall calculate provider reimbursement rates based on the  
6 voluntary quality rating system established pursuant to section  
7 237A.30 as follows:

8 1. A provider who has not been rated under the voluntary  
9 quality rating system shall be reimbursed at the 85th  
10 percentile of the provider reimbursement rates in effect on  
11 June 30, 2015.

12 2. A provider who achieves a level 1 rating shall be  
13 reimbursed at the 90th percentile of the provider reimbursement  
14 rates in effect on June 30, 2015.

15 3. A provider who achieves a level 2 rating shall be  
16 reimbursed at the 95th percentile of the provider reimbursement  
17 rates in effect on June 30, 2015.

18 4. A provider who achieves a level 3 rating shall  
19 be reimbursed at the 100th percentile of the provider  
20 reimbursement rates in effect on June 30, 2015.

21 5. A provider who achieves a level 4 rating shall  
22 be reimbursed at the 105th percentile of the provider  
23 reimbursement rates in effect on June 30, 2015.

24 6. A provider who achieves a level 5 rating shall  
25 be reimbursed at the 110th percentile of the provider  
26 reimbursement rates in effect on June 30, 2015.

27 EXPLANATION

28 The inclusion of this explanation does not constitute agreement with  
29 the explanation's substance by the members of the general assembly.

30 This bill relates to child care provider reimbursement rates  
31 under the state child care assistance program.

32 The bill directs the department of human services to  
33 determine child care provider reimbursement rates based upon  
34 the voluntary child care quality rating system established in  
35 Code section 237A.30 for child care centers, preschools, and

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1 registered child development homes.



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**Senate Study Bill 1137 - Introduced**

SENATE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE  
ON EDUCATION BILL BY  
CHAIRPERSON QUIRMBACH)

**A BILL FOR**

1 An Act establishing a fine arts standards task force and  
2 including effective date provisions.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1     Section 1. FINE ARTS STANDARDS TASK FORCE.

2     1. A fine arts standards task force is established to  
3 review and make recommendations relating to the inclusion of  
4 fine arts in the statewide academic standards for students in  
5 kindergarten through grade twelve, including but not limited  
6 to music, visual art, drama and theater, and other fine and  
7 applied arts.

8     a. The task force shall consist of nine members who shall  
9 be appointed by the director of the department of education as  
10 follows:

11     (1) One member from nominees submitted by an organization  
12 representing the boards of Iowa school districts.

13     (2) One member from nominees submitted by an organization  
14 representing Iowa school administrators.

15     (3) One member from nominees submitted by the largest  
16 statewide certified employee organization representing Iowa  
17 teachers.

18     (4) One member representing the department of education.

19     (5) One member representing arts education organizations.

20     (6) One member representing approved practitioner  
21 preparation programs.

22     (7) One member representing the team responsible for  
23 writing the fine arts alignment with the Iowa core universal  
24 constructs documents.

25     (8) One member of the business community.

26     (9) One member representing the general public.

27     b. The member representing the department of education  
28 shall convene the initial meeting, at which the members shall  
29 elect a chairperson. Administrative support and staffing  
30 for the task force shall be provided by the department of  
31 education.

32     2. The task force shall submit its findings and  
33 recommendations in a report to the state board of education,  
34 the governor, and the general assembly by January 15, 2016.

35     Sec. 2. EFFECTIVE UPON ENACTMENT. This Act, being deemed of

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1 immediate importance, takes effect upon enactment.

2 EXPLANATION

3 The inclusion of this explanation does not constitute agreement with  
4 the explanation's substance by the members of the general assembly.

5 This bill establishes a fine arts standards task force to  
6 review and make recommendations relating to the inclusion of  
7 fine arts in the statewide academic standards for students  
8 in kindergarten through grade 12, including but not limited  
9 to music, visual art, drama and theater, and other fine and  
10 applied arts.

11 The task force shall consist of nine members who shall be  
12 appointed by the director of the department of education to  
13 represent the boards of Iowa school districts, an organization  
14 representing Iowa school administrators, the largest statewide  
15 certified employee organization representing Iowa teachers, the  
16 department, arts education organizations, approved practitioner  
17 preparation programs, the team responsible for writing the  
18 fine arts alignment with the Iowa core universal constructs  
19 documents, the business community, and the general public.

20 Administrative support and staffing for the task force shall  
21 be provided by the department.

22 The task force shall submit its findings and recommendations  
23 in a report to the state board of education, the governor, and  
24 the general assembly by January 15, 2016.

25 The bill takes effect upon enactment.



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**Senate Study Bill 1138 - Introduced**

SENATE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE  
ON EDUCATION BILL BY  
CHAIRPERSON QUIRMBACH)

**A BILL FOR**

1 An Act to raise the maximum compulsory school attendance age.  
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 299.1A, subsection 1, Code 2015, is  
2 amended to read as follows:

3 1. Except as provided in subsections 2 and 3, a child  
4 who has reached the age of six and is under ~~sixteen~~ eighteen  
5 years of age by September 15 is of compulsory attendance age.  
6 However, if a child enrolled in a school district or accredited  
7 nonpublic school reaches the age of ~~sixteen~~ eighteen on or  
8 after September 15, the child remains of compulsory age until  
9 the end of the regular school calendar.

10 Sec. 2. STATE MANDATE FUNDING SPECIFIED. In accordance  
11 with section 25B.2, subsection 3, the state cost of requiring  
12 compliance with any state mandate included in this Act shall  
13 be paid by a school district from state school foundation aid  
14 received by the school district under section 257.16. This  
15 specification of the payment of the state cost shall be deemed  
16 to meet all of the state funding-related requirements of  
17 section 25B.2, subsection 3, and no additional state funding  
18 shall be necessary for the full implementation of this Act  
19 by and enforcement of this Act against all affected school  
20 districts.

21 EXPLANATION

22 The inclusion of this explanation does not constitute agreement with  
23 the explanation's substance by the members of the general assembly.

24 This bill raises the maximum compulsory school attendance  
25 age from 16 to 18.

26 The bill may include a state mandate as defined in Code  
27 section 25B.3. The bill requires that the state cost of  
28 any state mandate included in the bill be paid by a school  
29 district from state school foundation aid received by the  
30 school district under Code section 257.16. The specification  
31 is deemed to constitute state compliance with any state mandate  
32 funding-related requirements of Code section 25B.2. The  
33 inclusion of this specification is intended to reinstate the  
34 requirement of political subdivisions to comply with any state  
35 mandates included in the bill.

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**Senate Study Bill 1139 - Introduced**

SENATE/HOUSE FILE \_\_\_\_\_  
BY (PROPOSED GOVERNOR BILL)

**A BILL FOR**

1 An Act relating to cultural affairs and economic development  
2 by establishing an Iowa next program and fund to assist  
3 communities in community enhancement projects, eliminating  
4 the vision Iowa program, the community attraction and  
5 tourism program and fund, the river enhancement community  
6 attraction and tourism program and fund, the great places  
7 program and fund, and the Iowa cultural trust, trust fund,  
8 and grant account, making an appropriation, and including  
9 transition provisions.  
10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. NEW SECTION. 304.1 Definitions.

2 As used in this chapter, unless the context otherwise  
3 requires:

4 1. "Commission" means the Iowa next commission created  
5 pursuant to section 304.2.

6 2. "Department" means the department of cultural affairs  
7 created in section 303.1.

8 3. "Fund" means the Iowa next fund created in section 304.6.

9 4. "Program" means the Iowa next program established in  
10 section 304.5.

11 Sec. 2. NEW SECTION. 304.2 Iowa next commission.

12 1. The Iowa next commission is established consisting  
13 of eleven members and is located for administrative purposes  
14 within the department. The director of the department shall  
15 provide office space, staff assistance, and necessary supplies  
16 and equipment for the commission. The director shall budget  
17 funds to pay the compensation and expenses of the commission.  
18 In performing its functions the commission is performing  
19 a public function on behalf of the state and is a public  
20 instrumentality of the state.

21 2. The membership of the commission is as follows:

22 a. The director of the economic development authority or the  
23 director's designee.

24 b. The director of the department of transportation or the  
25 director's designee.

26 c. The director of the department of natural resources or  
27 the director's designee.

28 d. The director of the department of cultural affairs or the  
29 director's designee.

30 e. Seven appointed public members.

31 3. The governor shall appoint the seven public members,  
32 subject to sections 69.16 and 69.16A, and subject to  
33 confirmation by the senate. All public members of the  
34 commission shall have demonstrable experience or expertise in  
35 the field of culture, recreation, or economic or community

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1 development.

2 4. All members appointed pursuant to subsection 3 shall be  
3 residents of different counties.

4 5. The governor shall designate the chairperson and vice  
5 chairperson of the commission from the members appointed  
6 pursuant to subsection 3. In the case of absence or disability  
7 of the chairperson and vice chairperson, the members of the  
8 commission shall elect a temporary chairperson by a majority  
9 vote of those members who are present and voting.

10 6. The members appointed pursuant to subsection 3 shall be  
11 appointed to three-year staggered terms and the terms shall  
12 commence and end as provided by section 69.19. If a vacancy  
13 occurs, a successor shall be appointed to serve the unexpired  
14 terms. A successor shall be appointed in the same manner and  
15 subject to the same qualifications as the original appointment  
16 to serve the unexpired terms.

17 7. A majority of the total membership of the commission  
18 constitutes a quorum.

19 8. The members of the commission are entitled to receive  
20 reimbursement for actual expenses incurred while engaged in the  
21 performance of official duties. A member of the commission may  
22 also be eligible to receive compensation as provided in section  
23 7E.6.

24 Sec. 3. NEW SECTION. 304.3 **Commission duties.**

25 The commission shall do all of the following:

26 1. Organize.

27 2. Establish the Iowa next program.

28 3. Oversee and approve the administration of the Iowa next  
29 program by the department.

30 4. Coordinate efforts to increase quality of life for  
31 residents of Iowa and to attract persons from outside the state  
32 to Iowa.

33 Sec. 4. NEW SECTION. 304.4 **Department duties.**

34 1. The department, subject to approval by the commission,  
35 shall adopt administrative rules pursuant to chapter 17A

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1 necessary to administer the Iowa next program. The department  
2 shall provide the commission with assistance in implementing  
3 administrative functions, marketing the program, providing  
4 technical assistance and application assistance to applicants  
5 under the program, and negotiating contracts. The department  
6 may conduct negotiations on behalf of the commission with  
7 applicants regarding terms and conditions applicable to awards  
8 under the program.

9     2. The department shall develop and make available to the  
10 public a searchable database on an internet site of funding  
11 opportunities and state programs to assist with local efforts  
12 to enhance the community.

13     3. The department shall employ an Iowa next liaison  
14 to provide information on state programs and to assist in  
15 collaborative initiatives related to quality of life programs.

16     Sec. 5. **NEW SECTION. 304.5 Iowa next program.**

17     1. The commission shall establish and the department,  
18 subject to direction and approval of the commission, shall  
19 administer an Iowa next program to invest in prioritized  
20 quality of life projects by coordinating and streamlining  
21 public access to state programs that provide resources to  
22 assist communities in the planning, development, creation,  
23 improvement, and promotion of cultural and recreational  
24 amenities, opportunities, and programs that serve residents and  
25 visitors and enhance the quality of life in Iowa. Financial  
26 assistance provided pursuant to the program may be in the form  
27 of grants.

28     2. A city, county, state agency, or public organization  
29 in the state may submit an application to the department for  
30 financial assistance for a project under the program. For  
31 purposes of this subsection, "*public organization*" means  
32 a nonprofit economic development organization or other  
33 nonprofit organization that sponsors community enhancements and  
34 activities.

35     3. The department, with approval of the commission, shall

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1 consider the following when reviewing an application submitted  
2 pursuant to the program:

3     *a.* The extent to which the project creates a unique sense  
4 of place by incorporating, respecting, and increasing resident  
5 and visitor engagement with local cultural, natural, or  
6 recreational amenities and opportunities.

7     *b.* The extent to which the project represents or encourages  
8 a collaborative or comprehensive local or regional strategy to  
9 promote livability and revitalization of existing urban and  
10 rural communities.

11     *c.* The long-term community and economic impact of the  
12 project, including feasibility, plans for sustainability, and  
13 job creation or retention.

14     *d.* The total proposed budget for the project, including  
15 the amount or percentage of local and private matching moneys  
16 leveraged by the project.

17     *e.* The need of the community and demonstrated level of  
18 priority for the project and financial assistance for the  
19 project.

20     *f.* Any other information required by the department.

21     4. The department shall make recommendations to the  
22 commission regarding the applications. The commission shall  
23 approve, defer, or deny the applications. If an application  
24 is approved, the department, on behalf of the commission, may  
25 enter into an agreement with the applicant to provide financial  
26 assistance.

27     Sec. 6. NEW SECTION. 304.6 Iowa next fund — appropriation.

28     1. An Iowa next fund is created as a separate fund in the  
29 state treasury under the control of the department, consisting  
30 of any moneys appropriated by the general assembly, any moneys  
31 transferred from other funds as provided by law, and any other  
32 moneys available to and obtained or accepted by the department  
33 for placement in the fund.

34     2. Moneys in the fund are appropriated to the department for  
35 purposes of the Iowa next program established in section 304.5.

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1     3. Moneys in the fund are not subject to section 8.33.  
2 Notwithstanding section 12C.7, subsection 2, interest or  
3 earnings on moneys in the fund shall be credited to the fund.

4     Sec. 7. Section 12.71, subsection 1, Code 2015, is amended  
5 to read as follows:

6     1. The treasurer of state may issue bonds upon the request  
7 of the vision Iowa board created in section 15F.102, Code 2015,  
8 and do all things necessary with respect to the purposes of the  
9 vision Iowa fund. The treasurer of state shall have all of  
10 the powers which are necessary to issue and secure bonds and  
11 carry out the purposes of the fund. The treasurer of state may  
12 issue bonds in principal amounts which, in the opinion of the  
13 board, are necessary to provide sufficient funds for the vision  
14 Iowa fund created in section 12.72, the payment of interest  
15 on the bonds, the establishment of reserves to secure the  
16 bonds, the costs of issuance of the bonds, other expenditures  
17 of the treasurer of state incident to and necessary or  
18 convenient to carry out the bond issue for the fund, and all  
19 other expenditures of the board necessary or convenient to  
20 administer the fund; provided, however, excluding the issuance  
21 of refunding bonds, bonds issued pursuant to this section shall  
22 not be issued in an aggregate principal amount which exceeds  
23 three hundred million dollars. The bonds are investment  
24 securities and negotiable instruments within the meaning of and  
25 for purposes of the uniform commercial code, chapter 554.

26     Sec. 8. Section 12.72, subsection 1, Code 2015, is amended  
27 to read as follows:

28     1. A vision Iowa fund is created and established as a  
29 separate and distinct fund in the state treasury. The moneys  
30 in the fund are appropriated to the vision Iowa board for  
31 purposes of the vision Iowa program established in section  
32 15F.302, Code 2015. Moneys in the fund shall not be subject to  
33 appropriation for any other purpose by the general assembly,  
34 but shall be used only for the purposes of the vision Iowa  
35 fund. The treasurer of state shall act as custodian of the

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1 fund and disburse moneys contained in the fund as directed  
2 by the vision Iowa board, including automatic disbursements  
3 of funds received pursuant to the terms of bond indentures  
4 and documents and security provisions to trustees. The fund  
5 shall be administered by the vision Iowa board which shall  
6 make expenditures from the fund consistent with the purposes  
7 of the vision Iowa program without further appropriation. An  
8 applicant under the vision Iowa program shall not receive more  
9 than seventy-five million dollars in financial assistance from  
10 the fund.

11 Sec. 9. Section 12.75, subsection 2, Code 2015, is amended  
12 to read as follows:

13 2. For purposes of this section, "*applicant*" means a city or  
14 county or public organization applying for financial assistance  
15 under the vision Iowa program established in section 15F.302,  
16 Code 2015.

17 Sec. 10. Section 15.108, subsection 5, paragraph c, Code  
18 2015, is amended to read as follows:

19 c. Coordinate and develop with the department of  
20 transportation, the department of natural resources, the  
21 department of cultural affairs, the ~~vision Iowa board~~ next  
22 commission, other state agencies, and local and regional  
23 entities public interpretation, marketing, and education  
24 programs that encourage Iowans and out-of-state visitors to  
25 participate in the recreational and leisure opportunities  
26 available in Iowa. The authority shall establish and  
27 administer a program that helps connect both Iowa residents and  
28 residents of other states to new and existing Iowa experiences  
29 as a means to enhance the economic, social, and cultural  
30 well-being of the state. The program shall include a broad  
31 range of new opportunities, both rural and urban, including  
32 main street destinations, green space initiatives, and artistic  
33 and cultural attractions.

34 Sec. 11. Section 15H.6, subsection 3, Code 2015, is amended  
35 to read as follows:

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1     3. The capacity building activities shall be targeted in  
2 communities that are already working with existing community  
3 improvement programs, including but not limited to the Iowa  
4 ~~great places program established under section 303.3C~~, the  
5 green streets and main street Iowa programs administered by  
6 the economic development authority, and disaster remediation  
7 activities by communities located within an area declared to be  
8 a disaster area in a declaration issued by the president of the  
9 United States or the governor.

10    Sec. 12. Section 292.2, subsection 9, Code 2015, is amended  
11 by striking the subsection.

12    Sec. 13. Section 303.1, subsection 2, Code 2015, is amended  
13 by adding the following new paragraph:

14    NEW PARAGRAPH. *f.* Coordinate and develop with the economic  
15 development authority, department of transportation, the  
16 department of natural resources, the Iowa next commission,  
17 other state agencies, and local and regional entities  
18 programs that encourage Iowans and out-of-state visitors to  
19 participate in the cultural, recreational, and quality of life  
20 opportunities available in Iowa.

21    Sec. 14. Section 303.1A, subsection 1, paragraph *f*, Code  
22 2015, is amended by striking the paragraph.

23    Sec. 15. Section 303.3B, subsection 3, Code 2015, is amended  
24 to read as follows:

25    3. The department of cultural affairs shall encourage  
26 development projects and activities located in certified  
27 cultural and entertainment districts through incentives under  
28 cultural grant programs pursuant to section 303.3, ~~chapter~~  
29 ~~303A~~, and any other grant programs.

30    Sec. 16. Section 423.4, subsection 5, paragraph *c*,  
31 subparagraph (5), Code 2015, is amended to read as follows:

32    (5) The automobile racetrack facility has not received  
33 ~~or shall not receive~~ any grants under the former community  
34 attraction and tourism program pursuant to chapter 15F, Code  
35 2015, subchapter II, or the former vision Iowa program pursuant

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1 to chapter 15F, subchapter III, Code 2015.

2 Sec. 17. Section 423.4, subsection 11, paragraph c,  
3 subparagraph (6), Code 2015, is amended to read as follows:

4 (6) The raceway facility has not received ~~or shall not~~  
5 ~~receive~~ any grants under the community attraction and tourism  
6 program pursuant to chapter 15F, subchapter II, Code 2015, or  
7 the vision Iowa program pursuant to chapter 15F, subchapter  
8 III, Code 2015.

9 Sec. 18. REPEAL. Chapters 15F and 303A, Code 2015, are  
10 repealed.

11 Sec. 19. REPEAL. Sections 12.73, 303.3C, and 303.3D, Code  
12 2015, are repealed.

13 Sec. 20. IOWA NEXT TRANSFER. Notwithstanding section  
14 8.57F, subsection 1, paragraphs a, b, and c, for the fiscal  
15 year beginning July 1, 2015, and ending June 30, 2016, the  
16 department of management shall transfer twenty million dollars  
17 from the state bond repayment fund created in section 8.57F to  
18 the department of cultural affairs for deposit in the Iowa next  
19 fund created in section 304.6 for purposes of the Iowa next  
20 program established in section 304.5.

21 Sec. 21. IOWA NEXT COMMISSION — TRANSITION PROVISIONS. The  
22 initial members of the Iowa next commission established  
23 pursuant to this Act shall be appointed by September 1, 2015.

24 Sec. 22. REPEAL OF VISION IOWA PROGRAM — TRANSITION  
25 PROVISIONS.

26 1. Any agreement or contract entered into under the vision  
27 Iowa program prior to July 1, 2015, shall continue until the  
28 expiration of the original agreement or contract as provided  
29 by the terms of the agreement or contract, and shall be  
30 administered by the department of cultural affairs.

31 2. The treasurer of state shall not issue bonds pursuant  
32 to the vision Iowa program as described in section 12.71 after  
33 June 30, 2015.

34 Sec. 23. REPEAL OF COMMUNITY ATTRACTION AND TOURISM PROGRAM  
35 AND FUND AND THE RIVER ENHANCEMENT COMMUNITY ATTRACTION PROGRAM

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1 AND FUND — TRANSITION PROVISIONS.

2 1. Upon repeal of the community attraction and tourism fund  
3 created in section 15F.204 and the river enhancement community  
4 attraction and tourism fund created in section 15F.205, the  
5 vision Iowa board shall transfer any moneys remaining in any  
6 account or fund under the control of the vision Iowa board to  
7 the Iowa next fund created in section 304.6.

8 2. Unencumbered and unobligated moneys accruing to the  
9 community attraction and tourism fund and the river enhancement  
10 community attraction and tourism fund on or after July 1, 2015,  
11 shall be transferred to the Iowa next fund.

12 3. The community attraction and tourism fund and the  
13 river enhancement community attraction and tourism fund shall  
14 continue in existence until all encumbrances and obligations  
15 have been fulfilled.

16 4. Any agreement or contract entered into prior to July  
17 1, 2015, pursuant to the community attraction and tourism  
18 program or the river enhancement community attraction and  
19 tourism program shall continue until the expiration of the  
20 agreement or contract as provided by the terms of the agreement  
21 or contract, and shall be administered by the department of  
22 cultural affairs.

23 Sec. 24. REPEAL OF GREAT PLACES PROGRAM — TRANSITION  
24 PROVISIONS.

25 1. Upon repeal of the great places program fund created  
26 in section 303.3D, the department of cultural affairs shall  
27 transfer all unencumbered and unobligated moneys accruing to  
28 the fund to the Iowa next fund created in section 304.6.

29 2. Unencumbered and unobligated moneys accruing to the  
30 great places program fund on or after July 1, 2015, shall be  
31 transferred to the Iowa next fund.

32 3. The great places program fund shall continue in existence  
33 until all encumbrances and obligations have been fulfilled.

34 4. Any agreement or contract entered into prior to July 1,  
35 2015, pursuant to the great places program shall continue until

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1 the expiration of the contract or agreement.

2 Sec. 25. REPEAL OF IOWA CULTURAL TRUST FUND AND GRANT  
3 ACCOUNT — TRANSITION PROVISIONS.

4 1. Upon repeal of the Iowa cultural trust fund and  
5 grant account created in sections 303A.4 and 303A.7, the  
6 Iowa cultural trust board of trustees shall transfer all  
7 unencumbered and unobligated moneys accruing to the fund and  
8 grant account to the Iowa next fund created in section 304.6.

9 2. Unencumbered and unobligated moneys accruing to the Iowa  
10 cultural trust fund and grant account on or after July 1, 2015,  
11 shall be transferred to the Iowa next fund.

12 3. The Iowa cultural trust fund and grant account shall  
13 continue in existence until all encumbrances and obligations  
14 have been fulfilled.

15 4. Any agreement or contract entered into prior to July 1,  
16 2015, pursuant to the Iowa cultural trust shall continue until  
17 the expiration of the contract or agreement.

18 Sec. 26. VISION IOWA BOARD — TRANSITION PROVISIONS. On  
19 July 1, 2015, the Iowa next commission shall assume any  
20 remaining duties of the vision Iowa board.

21 Sec. 27. INTERAGENCY COOPERATION — TRANSITION  
22 PROVISIONS. The department of cultural affairs shall consult  
23 with the economic development authority about the vision Iowa  
24 program when implementing this Act. The economic development  
25 authority shall assist the department of cultural affairs and  
26 the Iowa next commission in implementing this Act by providing  
27 for an effective transition of powers and duties from the  
28 vision Iowa board to the commission and an effective transition  
29 from the vision Iowa program, the community attraction and  
30 tourism program, and the river enhancement community attraction  
31 and tourism program to the Iowa next program.

32 EXPLANATION

33 The inclusion of this explanation does not constitute agreement with  
34 the explanation's substance by the members of the general assembly.

35 This bill establishes the Iowa next program, the Iowa next

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1 commission, and the Iowa next fund. The bill eliminates the  
2 vision Iowa program, the community attraction and tourism  
3 program and fund, the river enhancement community attraction  
4 and tourism program and fund, the great places program and  
5 fund, and the Iowa cultural trust, trust fund, and grant  
6 account, makes appropriations, and includes transition  
7 provisions.

8     The bill establishes the Iowa next commission (commission),  
9 which is located for administrative purposes in the department  
10 of cultural affairs (department). The commission has 11  
11 members consisting of the directors of the economic development  
12 authority, department of transportation, department of natural  
13 resources, and department of cultural affairs, and seven  
14 appointed public members. The commission has the duties to  
15 organize, establish the Iowa next program, oversee and approve  
16 the administration of the Iowa next program, and coordinate  
17 efforts to increase the quality of life for residents of Iowa  
18 and to attract persons from outside the state.

19     The bill provides that the department shall adopt rules,  
20 subject to the approval of the commission, to administer  
21 the Iowa next program. The department shall also provide  
22 assistance in implementing administrative functions, marketing  
23 the program, providing technical and application assistance to  
24 applicants, and negotiating contracts. The bill allows the  
25 department to conduct negotiations on behalf of the commission  
26 regarding the terms applicable to awards under the program.  
27 The bill requires the department to develop and make available  
28 a public, searchable database on an internet site of funding  
29 opportunities to assist with local efforts. The bill also  
30 requires the department to employ a liaison for the Iowa next  
31 program to provide information on state programs and to assist  
32 in collaborative initiatives relating to quality of life  
33 programs.

34     The bill requires the Iowa next commission to establish  
35 and the department to administer the Iowa next program. The

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1 purpose of the Iowa next program is to invest in prioritized  
2 quality of life projects. The bill allows a city, county,  
3 state agency, or public organization to apply to the department  
4 for financial assistance for a project. The department reviews  
5 the applications looking at criteria established in the bill  
6 and makes recommendations to the commission regarding the  
7 applications. The commission must approve, defer, or deny the  
8 applications. If approved, the department, on behalf of the  
9 commission, may enter into an agreement with the applicant.

10 The bill establishes the Iowa next fund. The moneys in the  
11 fund are appropriated to the department for purposes of the  
12 Iowa next program. The fund consists of moneys appropriated,  
13 moneys transferred, or any other moneys available to and  
14 obtained by the department for placement in the fund.

15 For FY 2015-2016, the bill transfers \$20 million from the  
16 state bond repayment fund to the Iowa next fund for purposes of  
17 the Iowa next program.

18 The bill repeals the vision Iowa program, the vision Iowa  
19 board, the community attraction and tourism program and fund,  
20 the river enhancement community attraction and tourism program  
21 and fund, the great places program and fund, and the Iowa  
22 cultural trust fund and grant account, and makes conforming  
23 changes. The current and future unobligated and unencumbered  
24 moneys from the community attraction and tourism fund, the  
25 river enhancement community attraction and tourism fund, the  
26 great places fund, and the Iowa cultural trust fund and grant  
27 account are transferred to the Iowa next fund. The bill  
28 requires the vision Iowa board to transfer any moneys remaining  
29 in any account or fund under its control to the Iowa next fund.

30 The bill requires the department to consult with the  
31 economic development authority when implementing the bill. The  
32 bill requires the economic development authority to assist the  
33 Iowa next commission in implementing the bill and providing for  
34 an effective transition from the vision Iowa program to the  
35 Iowa next program.

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- 1 The bill contains additional transitional provisions.
- 2 The bill requires the governor to appoint the Iowa next
- 3 commission by September 1, 2015.



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**Senate Study Bill 1140 - Introduced**

SENATE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE  
ON EDUCATION BILL BY  
CHAIRPERSON QUIRMBACH)

**A BILL FOR**

1 An Act establishing the state percent of growth and including  
2 effective date provisions.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:



**Iowa General Assembly**  
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S.F. \_\_\_\_\_

1 Section 1. Section 257.8, subsection 1, Code 2015, is  
2 amended to read as follows:

3 1. *State percent of growth.* The state percent of growth  
4 ~~for the budget year beginning July 1, 2012, is two percent.~~  
5 The state percent of growth for the budget year beginning July  
6 1, 2013, is two percent. The state percent of growth for the  
7 budget year beginning July 1, 2014, is four percent. The  
8 state percent of growth for the budget year beginning July 1,  
9 2015, is four percent. The state percent of growth for each  
10 subsequent budget year shall be established by statute which  
11 shall be enacted within thirty days of the submission in the  
12 year preceding the base year of the governor's budget under  
13 section 8.21. The establishment of the state percent of growth  
14 for a budget year shall be the only subject matter of the bill  
15 which enacts the state percent of growth for a budget year.

Sec. 2. CODE SECTION 257.8 — IMPLEMENTATION. The  
requirement of section 257.8, subsection 1, regarding the  
enactment of bills establishing the regular program state  
percent of growth within thirty days of the submission in the  
year preceding the base year of the governor's budget does not  
apply to this Act.

22       Sec. 3.   EFFECTIVE UPON ENACTMENT.   This Act, being deemed of  
23 immediate importance, takes effect upon enactment.

24	EXPLANATION
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25 The inclusion of this explanation does not constitute agreement with  
26 the explanation's substance by the members of the general assembly.

27 This bill establishes a state percent of growth of 4 percent  
28 for the school budget year beginning July 1, 2015.

29 The requirement of Code section 257.8(1) regarding the  
30 enactment of bills establishing the regular program state  
31 percent of growth within 30 days of the submission in the year  
32 preceding the base year of the governor's budget does not apply  
33 to the bill.

34 The bill takes effect upon enactment.



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**Senate Study Bill 1141 - Introduced**

SENATE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE  
ON EDUCATION BILL BY  
CHAIRPERSON QUIRMBACH)

**A BILL FOR**

1 An Act establishing the categorical state percent of growth and  
2 including effective date provisions.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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md/sc





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S.F. \_\_\_\_\_

1 Section 1. Section 257.8, subsection 2, Code 2015, is  
2 amended to read as follows:

3 2. *Categorical state percent of growth.* ~~The categorical~~  
4 ~~state percent of growth for the budget year beginning July 1,~~  
5 ~~2012, is two percent.~~ The categorical state percent of growth  
6 for the budget year beginning July 1, 2013, is two percent.  
7 The categorical state percent of growth for the budget year  
8 beginning July 1, 2014, is four percent. The categorical state  
9 percent of growth for the budget year beginning July 1, 2015,  
10 is four percent. The categorical state percent of growth for  
11 each budget year shall be established by statute which shall  
12 be enacted within thirty days of the submission in the year  
13 preceding the base year of the governor's budget under section  
14 8.21. The establishment of the categorical state percent of  
15 growth for a budget year shall be the only subject matter of  
16 the bill which enacts the categorical state percent of growth  
17 for a budget year. The categorical state percent of growth  
18 may include state percents of growth for the teacher salary  
19 supplement, the professional development supplement, the early  
20 intervention supplement, and the teacher leadership supplement.  
21 Sec. 2. CODE SECTION 257.8 — IMPLEMENTATION. The  
22 requirement of section 257.8, subsection 2, regarding the  
23 enactment of bills establishing the categorical state percent  
24 of growth within thirty days of the submission in the year  
25 preceding the base year of the governor's budget does not apply  
26 to this Act.

27 Sec. 3. EFFECTIVE UPON ENACTMENT. This Act, being deemed of  
28 immediate importance, takes effect upon enactment.

29 EXPLANATION

30 The inclusion of this explanation does not constitute agreement with  
31 the explanation's substance by the members of the general assembly.

32 This bill establishes a categorical state percent of growth  
33 of 4 percent for the school budget year beginning July 1, 2015.

34 The requirement of Code section 257.8(2) regarding the  
35 enactment of bills establishing the categorical state percent

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1 of growth within 30 days of the submission in the year  
2 preceding the base year of the governor's budget does not apply  
3 to the bill.  
4 The bill takes effect upon enactment.



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**Senate Study Bill 1142 - Introduced**

SENATE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE  
ON EDUCATION BILL BY  
CHAIRPERSON QUIRMBACH)

**A BILL FOR**

1 An Act relating to school district property tax replacement  
2 payments and including effective date provisions.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:



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S.F. \_\_\_\_\_

1 Section 1. Section 257.16B, subsection 2, paragraph b,  
2 unnumbered paragraph 1, Code 2015, is amended to read as  
3 follows:

4 For each the budget year beginning ~~on or after~~ July 1, 2014,  
5 the department of management shall calculate for each school  
6 district all of the following:

7 Sec. 2. Section 257.16B, subsection 2, paragraph b,  
8 subparagraph (3), Code 2015, is amended to read as follows:

9 (3) The amount of each school district's property tax  
10 replacement payment. Each school district's property tax  
11 replacement payment equals the school district's weighted  
12 enrollment for the budget year beginning July 1, 2014,  
13 multiplied by the remainder of the amount calculated for  
14 the school district under subparagraph (2) minus the amount  
15 calculated for the school district under subparagraph (1).

16 Sec. 3. Section 257.16B, subsection 2, Code 2015, is amended  
17 by adding the following new paragraph:

18 NEW PARAGRAPH. c. For each budget year beginning on or  
19 after July 1, 2015, unless otherwise provided by law, the  
20 department of management shall calculate for each school  
21 district all of the following:

22 (1) The regular program state cost per pupil for the budget  
23 year beginning July 1, 2012, multiplied by one hundred percent  
24 less the regular program foundation base per pupil percentage  
25 pursuant to section 257.1.

26 (2) The regular program state cost per pupil for the budget  
27 year beginning July 1, 2015, multiplied by one hundred percent  
28 less the regular program foundation base per pupil percentage  
29 pursuant to section 257.1.

30 (3) The amount of each school district's property tax  
31 replacement payment. Each school district's property tax  
32 replacement payment equals the school district's weighted  
33 enrollment for the budget year multiplied by the remainder  
34 of the amount calculated for the school district under  
35 subparagraph (2) minus the amount calculated for the school

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1 district under subparagraph (1).

2 Sec. 4. EFFECTIVE UPON ENACTMENT. This Act, being deemed of  
3 immediate importance, takes effect upon enactment.

4 EXPLANATION

5 The inclusion of this explanation does not constitute agreement with  
6 the explanation's substance by the members of the general assembly.

7 Current Code section 257.16B provides for school district  
8 property tax replacement payments. For the budget year  
9 beginning July 1, 2013, each school district's property tax  
10 replacement payment amount is equal to the school district's  
11 weighted enrollment for that budget year multiplied by the  
12 difference of the following: (1) the regular program state  
13 cost per pupil for the budget year beginning July 1, 2013,  
14 multiplied by 100 percent less the regular program foundation  
15 base per pupil percentage; and (2) the regular program state  
16 cost per pupil for the budget year beginning July 1, 2012,  
17 multiplied by 100 percent less the regular program foundation  
18 base per pupil percentage. For each budget year beginning on  
19 or after July 1, 2014, each school district's property tax  
20 replacement payment amount is equal to the school district's  
21 weighted enrollment for the budget year multiplied by the  
22 difference of the following: (1) the regular program state  
23 cost per pupil for the budget year beginning July 1, 2014,  
24 multiplied by 100 percent less the regular program foundation  
25 base per pupil percentage; and (2) the regular program state  
26 cost per pupil for the budget year beginning July 1, 2012,  
27 multiplied by 100 percent less the regular program foundation  
28 base per pupil percentage.

29 This bill modifies the replacement payment calculation  
30 for budget years beginning on or after July 1, 2015. For  
31 each budget year beginning on or after July 1, 2015, unless  
32 otherwise provided by law, each school district's property tax  
33 replacement payment amount is equal to the school district's  
34 weighted enrollment for the budget year multiplied by the  
35 difference of the following: (1) the regular program state

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1 cost per pupil for the budget year beginning July 1, 2015,  
2 multiplied by 100 percent less the regular program foundation  
3 base per pupil percentage; and (2) the regular program state  
4 cost per pupil for the budget year beginning July 1, 2012,  
5 multiplied by 100 percent less the regular program foundation  
6 base per pupil percentage.



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**Senate Study Bill 1143 - Introduced**

SENATE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE  
ON EDUCATION BILL BY  
CHAIRPERSON QUIRMBACH)

**A BILL FOR**

- 1 An Act establishing the state percent of growth.
- 2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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S.F. \_\_\_\_\_

1 Section 1. Section 257.8, subsection 1, Code 2015, is  
2 amended to read as follows:

3 1. *State percent of growth.* ~~The state percent of growth~~  
4 ~~for the budget year beginning July 1, 2012, is two percent.~~  
5 The state percent of growth for the budget year beginning July  
6 1, 2013, is two percent. The state percent of growth for the  
7 budget year beginning July 1, 2014, is four percent. The  
8 state percent of growth for the budget year beginning July 1,  
9 2016, is four percent. The state percent of growth for each  
10 subsequent budget year shall be established by statute which  
11 shall be enacted within thirty days of the submission in the  
12 year preceding the base year of the governor's budget under  
13 section 8.21. The establishment of the state percent of growth  
14 for a budget year shall be the only subject matter of the bill  
15 which enacts the state percent of growth for a budget year.

16 EXPLANATION

17 The inclusion of this explanation does not constitute agreement with  
18 the explanation's substance by the members of the general assembly.

19 This bill establishes a state percent of growth of 4 percent  
20 for the school budget year beginning July 1, 2016.





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**Senate Study Bill 1144 - Introduced**

SENATE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE  
ON EDUCATION BILL BY  
CHAIRPERSON QUIRMBACH)

**A BILL FOR**

1 An Act establishing the categorical state percent of growth.  
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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S.F. \_\_\_\_\_

1 Section 1. Section 257.8, subsection 2, Code 2015, is  
2 amended to read as follows:

3 2. *Categorical state percent of growth.* ~~The categorical~~  
4 ~~state percent of growth for the budget year beginning July 1,~~  
5 ~~2012, is two percent.~~ The categorical state percent of growth  
6 for the budget year beginning July 1, 2013, is two percent.  
7 The categorical state percent of growth for the budget year  
8 beginning July 1, 2014, is four percent. The categorical state  
9 percent of growth for the budget year beginning July 1, 2016,  
10 is four percent. The categorical state percent of growth for  
11 each budget year shall be established by statute which shall  
12 be enacted within thirty days of the submission in the year  
13 preceding the base year of the governor's budget under section  
14 8.21. The establishment of the categorical state percent of  
15 growth for a budget year shall be the only subject matter of  
16 the bill which enacts the categorical state percent of growth  
17 for a budget year. The categorical state percent of growth  
18 may include state percents of growth for the teacher salary  
19 supplement, the professional development supplement, the early  
20 intervention supplement, and the teacher leadership supplement.

21 EXPLANATION

22 The inclusion of this explanation does not constitute agreement with  
23 the explanation's substance by the members of the general assembly.

24 This bill establishes a categorical state percent of growth  
25 of 4 percent for the school budget year beginning July 1, 2016.



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**Senate Study Bill 1145 - Introduced**

SENATE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE  
ON EDUCATION BILL BY  
CHAIRPERSON QUIRMBACH)

**A BILL FOR**

1 An Act relating to school district property tax replacement  
2 payments for certain budget years and including effective  
3 date provisions.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:



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1 Section 1. Section 257.16B, subsection 2, paragraph b,  
2 unnumbered paragraph 1, Code 2015, is amended to read as  
3 follows:

4 For each the budget year beginning ~~on or after~~ July 1, 2014,  
5 the department of management shall calculate for each school  
6 district all of the following:

7 Sec. 2. Section 257.16B, subsection 2, paragraph b,  
8 subparagraph (3), Code 2015, is amended to read as follows:

9 (3) The amount of each school district's property tax  
10 replacement payment. Each school district's property tax  
11 replacement payment equals the school district's weighted  
12 enrollment for the budget year beginning July 1, 2014,  
13 multiplied by the remainder of the amount calculated for  
14 the school district under subparagraph (2) minus the amount  
15 calculated for the school district under subparagraph (1).

16 Sec. 3. Section 257.16B, subsection 2, Code 2015, is amended  
17 by adding the following new paragraphs:

18 NEW PARAGRAPH. c. For the budget year beginning July 1,  
19 2015, the department of management shall calculate for each  
20 school district all of the following:

21 (1) The regular program state cost per pupil for the budget  
22 year beginning July 1, 2012, multiplied by one hundred percent  
23 less the regular program foundation base per pupil percentage  
24 pursuant to section 257.1.

25 (2) The regular program state cost per pupil for the budget  
26 year beginning July 1, 2015, multiplied by one hundred percent  
27 less the regular program foundation base per pupil percentage  
28 pursuant to section 257.1.

29 (3) The amount of each school district's property tax  
30 replacement payment. Each school district's property tax  
31 replacement payment equals the school district's weighted  
32 enrollment for the budget year beginning July 1, 2015,  
33 multiplied by the remainder of the amount calculated for  
34 the school district under subparagraph (2) minus the amount  
35 calculated for the school district under subparagraph (1).

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1 or after July 1, 2014, each school district's property tax  
2 replacement payment amount is equal to the school district's  
3 weighted enrollment for the budget year multiplied by the  
4 difference of the following: (1) the regular program state  
5 cost per pupil for the budget year beginning July 1, 2014,  
6 multiplied by 100 percent less the regular program foundation  
7 base per pupil percentage; and (2) the regular program state  
8 cost per pupil for the budget year beginning July 1, 2012,  
9 multiplied by 100 percent less the regular program foundation  
10 base per pupil percentage.

11 The bill modifies the replacement payment calculation for  
12 the budget year beginning July 1, 2015. For the budget year  
13 beginning July 1, 2015, each school district's property tax  
14 replacement payment amount is equal to the school district's  
15 weighted enrollment for the budget year beginning July 1, 2015,  
16 multiplied by the difference of the following: (1) the regular  
17 program state cost per pupil for the budget year beginning July  
18 1, 2015, multiplied by 100 percent less the regular program  
19 foundation base per pupil percentage; and (2) the regular  
20 program state cost per pupil for the budget year beginning July  
21 1, 2012, multiplied by 100 percent less the regular program  
22 foundation base per pupil percentage.

23 The bill also modifies the replacement payment calculation  
24 for budget years beginning on or after July 1, 2016. For each  
25 budget year beginning on or after July 1, 2016, each school  
26 district's property tax replacement payment amount is equal to  
27 the school district's weighted enrollment for the budget year  
28 multiplied by the difference of the following: (1) the regular  
29 program state cost per pupil for the budget year beginning July  
30 1, 2016, multiplied by 100 percent less the regular program  
31 foundation base per pupil percentage; and (2) the regular  
32 program state cost per pupil for the budget year beginning July  
33 1, 2012, multiplied by 100 percent less the regular program  
34 foundation base per pupil percentage.

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**Senate Study Bill 1146 - Introduced**

SENATE/HOUSE FILE \_\_\_\_\_  
BY (PROPOSED GOVERNOR BILL)

**A BILL FOR**

1 An Act relating to and providing for the facilitation of  
2 broadband access in targeted areas of the state, including  
3 property tax incentives for broadband infrastructure  
4 installation, a broadband grant program and fund, making  
5 appropriations, and including applicability provisions.  
6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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S.F. \_\_\_\_\_ H.F. \_\_\_\_\_

1 DIVISION I

2 LEGISLATIVE INTENT

3 Section 1. SHORT TITLE. This Act shall be known and may be  
4 cited as the "Connecting Iowa Farms, Schools, and Communities  
5 Act".

6 Sec. 2. LEGISLATIVE INTENT. The general assembly finds  
7 and declares that increasing the extent and availability of  
8 broadband infrastructure throughout the state facilitates the  
9 provision of internet access to citizens, farms, businesses,  
10 and communities at speeds that promote economic development,  
11 employment, enhanced access to goods and services, increased  
12 educational and training opportunities, faster access to  
13 government services and health care, and improved overall  
14 information and community access.

15 DIVISION II

16 STATEWIDE BROADBAND COORDINATION

17 Sec. 3. Section 8B.1, Code 2015, is amended by adding the  
18 following new subsections:

19 NEW SUBSECTION. 01. "*Broadband*" means a high-speed,  
20 high-capacity electronic transmission medium that can carry  
21 data signals from multiple independent network sources by  
22 establishing different bandwidth channels and that is commonly  
23 used to deliver internet services to the public.

24 NEW SUBSECTION. 001. "*Broadband infrastructure*" means  
25 the physical infrastructure used for the transmission of data  
26 via broadband, including but not limited to any equipment,  
27 systems, switches, routers, wire, cable, satellite, conduits,  
28 servers, software, technology, base transceiver station  
29 sites, or other means of transmission or communication.  
30 "*Broadband infrastructure*" does not include land, buildings,  
31 structures, improvements, or equipment not directly used in the  
32 transmission of data via broadband.

33 NEW SUBSECTION. 0001. "*Communications service provider*"  
34 means a service provider that provides broadband service.

35 NEW SUBSECTION. 00001. "*Crop operation*" means the same as

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1 defined in section 717A.1.

2 NEW SUBSECTION. 7A. "*Targeted service area*" means a United  
3 States census bureau census block located in this state,  
4 including any crop operation located within the census block,  
5 within which no communications service provider offers or  
6 facilitates broadband service at or above twenty-five megabits  
7 per second of download speed and three megabits per second of  
8 upload speed.

9 Sec. 4. Section 8B.1, subsection 1, Code 2015, is amended  
10 to read as follows:

11 1. "*Information technology*" means computing and electronics  
12 applications used to process and distribute information in  
13 digital and other forms and includes information technology  
14 devices, information technology services, infrastructure  
15 services, broadband and broadband infrastructure, and  
16 value-added services.

17 Sec. 5. Section 8B.3, subsection 1, Code 2015, is amended  
18 to read as follows:

19 1. The office is created for the purpose of leading,  
20 directing, managing, coordinating, and providing accountability  
21 for the information technology resources of state government  
22 and for coordinating statewide broadband availability and  
23 access.

24 Sec. 6. Section 8B.4, Code 2015, is amended by adding the  
25 following new subsections:

26 NEW SUBSECTION. 14A. Streamline, consolidate, and  
27 coordinate the access to and availability of broadband and  
28 broadband infrastructure throughout the state, including but  
29 not limited to the facilitation of public-private partnerships,  
30 ensuring that all state agencies' broadband and broadband  
31 infrastructure policies and procedures are aligned, resolving  
32 issues which arise with regard to implementation efforts,  
33 and collecting data and developing metrics or standards  
34 against which the data may be measured and evaluated regarding  
35 broadband infrastructure installation and deployment.

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1     NEW SUBSECTION. 14B. Establish and administer the  
2 broadband grant program pursuant to section 8B.11.

3     NEW SUBSECTION. 14C. Coordinate the fiberoptic network  
4 conduit installation program established in section 8B.25.

5     Sec. 7. Section 8B.9, Code 2015, is amended by adding the  
6 following new subsection:

7     NEW SUBSECTION. 5. An annual report regarding the status  
8 of broadband expansion and coordination and the connecting  
9 Iowa farms, schools, and communities broadband grant program  
10 established under section 8B.11.

11     Sec. 8. NEW SECTION. **8B.10 Targeted service areas —**  
12 **determination — criteria.**

13     1. The determination of whether a communications service  
14 provider offers or facilitates broadband service meeting the  
15 download or upload speeds specified in the definition of  
16 targeted service area in section 8B.1 shall be determined or  
17 ascertained by reference to broadband availability maps or data  
18 sources that are widely accepted for accuracy and available for  
19 public review and comment and that are identified by the office  
20 by rule.

21     2. The office shall establish procedures to allow  
22 challenges to claims that an area meets the definition of a  
23 targeted service area.

24     Sec. 9. NEW SECTION. **8B.11 Connecting Iowa farms, schools,**  
25 **and communities — broadband grants — fund.**

26     1. The office shall establish and administer a broadband  
27 grant program to award grants to communication service  
28 providers that reduce or eliminate targeted service areas.

29     2. *a.* A connecting Iowa farms, schools, and communities  
30 broadband grant fund is established in the state treasury under  
31 the authority of the office. The fund shall consist of moneys  
32 appropriated to the fund or appropriated to the office for  
33 purposes of the grant program, or other funds available to  
34 the office for purposes of the grant program. Moneys in the  
35 fund are appropriated to the office to be used for the grant

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1 program.

2     **b.** Notwithstanding section 8.33, moneys in the fund  
3 that remain unencumbered or unobligated at the close of the  
4 fiscal year shall not revert but shall remain available for  
5 expenditure for the purposes designated until the close of the  
6 succeeding fiscal year.

7     3. The office shall use moneys in the fund to provide grants  
8 to communication service providers for purposes of reducing or  
9 eliminating targeted service areas.

10    4. Communication service providers may apply to the office  
11 for a grant pursuant to this section. The office shall award  
12 grants on a competitive basis using criteria established by the  
13 office by rule.

14    5. The office shall adopt rules pursuant to chapter 17A  
15 including but not limited to the broadband grant program  
16 process, management, and measurements as deemed necessary by  
17 the office.

18    Sec. 10. NEW SECTION.   **8B.25   Fiberoptic network conduit**  
19 **installation program.**

20    1. For the purposes of this section, "*fiberoptic network*  
21 *conduit*" means a pipe or duct used to enclose fiberoptic cable  
22 facilities buried alongside a roadway or surface mounted on  
23 a bridge, overpass, or other facility where placement below  
24 ground is impossible or impractical.

25    2. The office shall lead and coordinate a program to  
26 provide for the installation of fiberoptic network conduit  
27 where such conduit does not exist. The chief information  
28 officer shall consult and coordinate with the department of  
29 administrative services, the department of transportation, the  
30 Iowa communications network, and other agencies and entities  
31 as determined appropriate to ensure that the opportunity is  
32 provided to lay or install fiberoptic network conduit wherever  
33 a state-funded construction project involves trenching, boring,  
34 a bridge, a roadway, or opening of the ground, or alongside any  
35 state-owned infrastructure.

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1 3. Contingent upon the provision of funding for such  
2 purposes by the general assembly, the office may contract with  
3 a third party to manage, lease, install, or otherwise provide  
4 fiberoptic network conduit access for projects described in  
5 this section. This section shall not prohibit the office from  
6 purchasing or installing fiberoptic cable within any fiberoptic  
7 network conduit installed pursuant to the program.

8 Sec. 11. NEW SECTION. **8B.26 Broadband permitting process**  
9 **— expeditious response.**

10 Notwithstanding any other provision to the contrary, a  
11 political subdivision vested with permitting authority shall  
12 approve, approve with modification, or disapprove nonwireless,  
13 broadband-related permits within sixty business days following  
14 the submission of a permit application and fee. In the event  
15 that no action is taken during the sixty-day period, the  
16 application shall be deemed approved.

17 Sec. 12. Section 8D.3, subsection 2, paragraph a, Code 2015,  
18 is amended to read as follows:

19 a. The commission is composed of five voting members  
20 appointed by the governor and subject to confirmation by the  
21 senate. ~~Members~~ Voting members of the commission shall not  
22 serve in any manner or be employed by an authorized user of the  
23 network or by an entity seeking to do or doing business with  
24 the network.

25 (1) The governor shall appoint a voting member as the  
26 chairperson of the commission from the five voting members  
27 ~~appointed by the governor~~, subject to confirmation by the  
28 senate.

29 (2) ~~Members~~ Voting members of the commission shall serve  
30 six-year staggered terms as designated by the governor and  
31 appointments to the commission are subject to the requirements  
32 of sections 69.16, 69.16A, and 69.19. Vacancies shall be  
33 filled by the governor for the duration of the unexpired term.

34 (3) The salary of the voting members of the commission shall  
35 be twelve thousand dollars per year, except that the salary

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1 of the chairperson shall be seventeen thousand dollars per  
2 year. ~~Members~~ Voting members of the commission shall also be  
3 reimbursed for all actual and necessary expenses incurred in  
4 the performance of duties as members. The benefits and salary  
5 paid to the voting members of the commission shall be adjusted  
6 annually equal to the average of the annual pay adjustments,  
7 expense reimbursements, and related benefits provided under  
8 collective bargaining agreements negotiated pursuant to chapter  
9 20.

10 Sec. 13. Section 8D.3, subsection 2, paragraph b, Code 2015,  
11 is amended to read as follows:

12 ~~b. In addition to the members appointed by the governor,~~  
13 ~~the~~ The auditor of state or the auditor's designee and the  
14 chief information officer appointed pursuant to section 8B.2  
15 or the chief information officer's designee shall serve as a  
16 nonvoting, ex officio ~~member~~ members of the commission.

17 Sec. 14. Section 8D.4, Code 2015, is amended to read as  
18 follows:

19 **8D.4 Executive director appointed.**

20 ~~The commission, in consultation with the director of~~  
21 ~~the department of administrative services and the chief~~  
22 ~~information officer,~~ shall appoint an executive director of  
23 the commission, subject to confirmation by the senate. Such  
24 individual shall not serve as a member of the commission.  
25 The executive director shall serve at the pleasure of the  
26 commission. The executive director shall be selected primarily  
27 for administrative ability and knowledge in the field, without  
28 regard to political affiliation. The governor shall establish  
29 the salary of the executive director within range nine as  
30 established by the general assembly. The salary and support of  
31 the executive director shall be paid from funds deposited in  
32 the Iowa communications network fund.

33 Sec. 15. Section 80.28, subsection 2, Code 2015, is amended  
34 to read as follows:

35 2. The board shall consist of ~~fifteen~~ seventeen voting

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1 members, as follows:

2     a. The following members representing state agencies:

3       (1) One member representing the department of public  
4 safety.

5       (2) One member representing the state department of  
6 transportation.

7       (3) One member representing the department of homeland  
8 security and emergency management.

9       (4) One member representing the department of corrections.

10       (5) One member representing the department of natural  
11 resources.

12       (6) One member representing the Iowa department of public  
13 health.

14       (7) One member representing the office of the chief  
15 information officer created in section 8B.2.

16     b. The governor shall solicit and consider recommendations  
17 from professional or volunteer organizations in appointing the  
18 following members:

19       (1) Two members who are representatives from municipal  
20 police departments.

21       (2) Two members who are representatives of sheriff's  
22 offices.

23       (3) Two members who are representatives from fire  
24 departments. One of the members shall be a volunteer fire  
25 fighter and the other member shall be a paid fire fighter.

26       (4) Two members who are law communication center managers  
27 employed by state or local government agencies.

28       (05) One member who is an emergency medical care provider  
29 as defined in section 147A.1.

30       (5) One at-large member.

31     Sec. 16. BOND REPAYMENT FUND BROADBAND GRANT  
32 TRANSFER. Notwithstanding section 8.57F, subsection 1,  
33 paragraphs a, b, and c, for the fiscal year beginning July 1,  
34 2015, and ending June 30, 2016, the department of management  
35 shall transfer three million dollars from the state bond

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1 repayment fund created in section 8.57F to the office of chief  
2 information officer for deposit in the connecting Iowa farms,  
3 schools, and communities broadband grant fund created under  
4 section 8B.11 to be used for the purposes of the broadband  
5 grant program.

6 Sec. 17. Rebuild Iowa infrastructure fund broadband grant  
7 transfer. For the fiscal year beginning July 1, 2015, and  
8 ending June 30, 2016, through the fiscal year beginning July 1,  
9 2016, and ending June 30, 2017, the department of management  
10 shall transfer two million dollars each year from the rebuild  
11 Iowa infrastructure fund created in section 8.57 to the office  
12 of the chief information officer for deposit in the connecting  
13 Iowa farms, schools, and communities broadband grant fund  
14 created under section 8B.11 to be used for the purposes of the  
15 broadband grant program.

16 Sec. 18. EMERGENCY RULES. The office of the chief  
17 information officer may adopt emergency rules under section  
18 17A.4, subsection 3, and section 17A.5, subsection 2, paragraph  
19 "b", to implement the provisions of this division of this Act  
20 and the rules shall be effective immediately upon filing unless  
21 a later date is specified in the rules. Any rules adopted  
22 in accordance with this section shall also be published as a  
23 notice of intended action as provided in section 17A.4.

24 DIVISION III

25 PROPERTY TAX INCENTIVES AND ASSESSMENT

26 Sec. 19. Section 421.1A, subsection 3, Code 2015, is amended  
27 to read as follows:

28 3. At the election of a property owner or aggrieved taxpayer  
29 or an appellant described in section 441.42, the property  
30 assessment appeal board shall review any final decision,  
31 finding, ruling, determination, or order of a local board of  
32 review relating to protests of an assessment, valuation, or  
33 application of an equalization order, or any final decision  
34 of the county board of supervisors relating to denial of an  
35 application for a property tax exemption pursuant to section

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1 427.1, subsection 40.

2 Sec. 20. Section 421.1A, subsection 4, Code 2015, is amended  
3 by adding the following new paragraph:

4 NEW PARAGRAPH. *Ob.* Affirm or reverse a final decision  
5 of a county board of supervisors relating to denial of an  
6 application for a property tax exemption under section 427.1,  
7 subsection 40.

8 Sec. 21. Section 427.1, Code 2015, is amended by adding the  
9 following new subsection:

10 NEW SUBSECTION. 40. *Broadband infrastructure.*

11 *a.* The owner of broadband infrastructure shall be entitled  
12 to an exemption from taxation to the extent provided in this  
13 subsection. For the purposes of this subsection, "*broadband*  
14 *infrastructure*" and "*targeted service area*" mean the same as  
15 defined in section 8B.1.

16 *b.* The exemption shall apply to the installation of  
17 broadband infrastructure commenced and completed on or  
18 after July 1, 2014, in a targeted service area, and used to  
19 deliver internet services to the public. A person claiming  
20 an exemption under this subsection shall certify to the local  
21 assessor prior to commencement of the installation that the  
22 broadband installation will take place within a targeted  
23 service area.

24 *c.* The tax exemption shall be a one hundred percent  
25 exemption from taxation for a period of three years in an  
26 amount equal to the actual value added by installation of the  
27 broadband infrastructure.

28 *d.* For companies assessed by the department of revenue  
29 pursuant to chapter 433, the exemption shall be limited to  
30 an amount equal to the actual value added by installation of  
31 the broadband infrastructure as of the assessment date as  
32 determined by the department and the exemption shall be applied  
33 prior to any other exemption applicable to the unit value, as  
34 determined under that chapter.

35 *e.* (1) An application for an exemption shall be filed by

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1 the owner of the property with the county board of supervisors  
2 of each county in which the property is located by February  
3 1 of the year in which the broadband infrastructure is first  
4 assessed for taxation, or the following two assessment years,  
5 and in each case the exemption is allowed for three years.

6 (2) In lieu of subparagraph (1), and notwithstanding any  
7 provision in this subsection to the contrary, an owner may at  
8 any time before completion of the project submit a proposal to  
9 the board of supervisors requesting that the board allow the  
10 owner to file an application for exemption by February 1 of  
11 any other assessment year following completion of the project,  
12 which year shall be selected by the board. If the board, by  
13 resolution, approves the proposal, the exemption is allowed for  
14 three years.

15 f. (1) The application shall be made on forms prescribed by  
16 the director of revenue. The application shall contain but not  
17 be limited to the following information:

18 (a) The nature of the broadband infrastructure  
19 installation.

20 (b) The actual cost of installing the broadband  
21 infrastructure under the project, if available. The  
22 application shall contain supporting documents demonstrating  
23 the actual cost.

24 (c) Certification from the office of the chief information  
25 officer pursuant to section 8B.10 that the installation is  
26 being performed or was completed in a targeted service area  
27 and certification of the date of commencement and actual or  
28 estimated date of completion.

29 (d) A copy of any nonwireless broadband-related permit  
30 issued by a political subdivision.

31 (e) If applying pursuant to paragraph "e", subparagraph (2),  
32 the actual cost already incurred for installation of broadband  
33 infrastructure, if any, the estimated costs for project  
34 completion, and the estimated date of project completion. The  
35 application shall contain supporting documents demonstrating

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1 the actual cost.

2 (2) The board of supervisors shall forward all approved  
3 applications and any necessary information regarding the  
4 applications to the appropriate local assessor or to the  
5 department of revenue, as applicable, by March 1 annually.  
6 After the tax exemption is granted, the local assessor shall  
7 continue to grant the tax exemption for three years, and  
8 applications for exemption for succeeding years shall not be  
9 required.

10 (3) An applicant for a property tax exemption under this  
11 subsection may appeal the decision of the board of supervisors  
12 regarding denial of the application to the property assessment  
13 appeal board.

14 g. (1) If a company whose property in the county is not  
15 assessed by the department of revenue is approved to receive a  
16 property tax exemption pursuant to this subsection, the actual  
17 value added by installation of the broadband infrastructure  
18 shall be determined by the local assessor who shall certify the  
19 amount of exemption determined to the county auditor at the  
20 time of transmitting the assessment rolls.

21 (2) Notwithstanding any other provision of law to the  
22 contrary, if a company in which all or a portion of the  
23 company's property in the county is assessed by the department  
24 pursuant to chapter 433 and the company's property in the  
25 county is approved to receive a property tax exemption  
26 pursuant to this subsection, the department shall assess  
27 all the company's property in the county used for operating  
28 telegraph and telephone lines, broadband, or cable systems for  
29 each assessment year the company receives the exemption, for  
30 purposes of determining the actual value added by installation  
31 of the broadband infrastructure.

32 (3) (a) If assessing property pursuant to subparagraph (2),  
33 the department shall certify the assessment value and exemption  
34 amounts for all property used for the operation of providing  
35 cable and broadband services and generally not assessed by

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1 the department to the local assessor for inclusion on the  
2 assessment rolls as provided in section 433.8, subsection 2.

3 (b) A company whose property is assessed by the department  
4 pursuant to subparagraph (2) shall follow the appeal procedures  
5 in chapter 429 for appealing any part of the assessment on  
6 all the company's property, including the company's property  
7 that would have been valued by the local assessor but for  
8 subparagraph (2). For appeal proceedings for assessed values  
9 submitted pursuant to subparagraph division (a), the department  
10 shall notify the taxpayer of the right to appeal pursuant to  
11 chapter 429.

12 h. The director of revenue may adopt rules pursuant to  
13 chapter 17A for the interpretation and proper administration of  
14 the exemption provided in this subsection.

15 Sec. 22. Section 433.8, Code 2015, is amended to read as  
16 follows:

17 **433.8 Assessment in each county — how certified.**

18 1. The director of revenue shall, for the purpose of  
19 determining what amount shall be assessed to each company  
20 in each county of the state into which the line of the said  
21 company extends, certify to the several county auditors of the  
22 respective counties into, over, or through which said line  
23 extends the number of miles of line in the county for that  
24 company, the actual value per mile of line for that company,  
25 and the exemption value per mile of line for that company for  
26 exemptions received pursuant to section 427.1, subsection 40,  
27 section 433.4, or any other exemptions. In no case, however,  
28 shall the taxable value of the property be reduced below zero.

29 2. If assessing all of the property of a company pursuant to  
30 section 427.1, subsection 40, paragraph "g", subparagraph (2),  
31 the director shall also certify such amounts to the assessor  
32 for inclusion on the assessment rolls.

33 Sec. 23. IMPLEMENTATION. Section 25B.7 shall not apply to  
34 this division of this Act.

35 Sec. 24. IMPLEMENTATION. Notwithstanding section 427.1,

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1 subsection 40, paragraph "b", as enacted in this division  
2 of this Act, owners of broadband infrastructure seeking an  
3 exemption for the installation of broadband infrastructure  
4 commenced between July 1, 2014, and the effective date of this  
5 division of this Act, shall certify to the local assessor that  
6 the broadband infrastructure installation took place within  
7 a targeted service area prior to applying for an exemption  
8 pursuant to this division of this Act.

9 Sec. 25. APPLICABILITY.

10 1. This division of this Act applies to assessment years  
11 beginning on or after January 1, 2016.

12 2. Notwithstanding section 427.1, subsection 40, paragraph  
13 "e", subparagraph (1), as enacted in this division of this  
14 Act, in the case of projects commenced and completed between  
15 July 1, 2014, and December 31, 2014, an owner seeking an  
16 exemption shall first file an application for an exemption with  
17 the county board of supervisors of each county in which the  
18 property is located by February 1, 2016, or the following two  
19 assessment years, and in each case the exemption is allowed for  
20 three years.

21 DIVISION IV

22 INFORMATION TECHNOLOGY INFRASTRUCTURE FOR EDUCATION

23 Sec. 26. Section 423F.3, subsection 6, Code 2015, is amended  
24 by adding the following new paragraph:

25 NEW PARAGRAPH. *0c.* Additionally, "school infrastructure"  
26 includes the acquisition or installation of information  
27 technology infrastructure. For purposes of this paragraph,  
28 "information technology infrastructure" means the basic,  
29 underlying physical framework or system necessary to deliver  
30 technology connectivity to a school district and to network  
31 school buildings within a school district.

32 EXPLANATION

33 The inclusion of this explanation does not constitute agreement with  
34 the explanation's substance by the members of the general assembly.

35 This bill relates to and provides for the facilitation

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1 of broadband access in targeted service areas of the state.  
2 The bill is titled the "Connect Iowa Farms, Schools, and  
3 Communities Act".

4     DIVISION I — LEGISLATIVE INTENT. The division provides  
5 that the general assembly finds and declares that increasing  
6 the extent and availability of broadband infrastructure  
7 throughout the state facilitates the provision of internet  
8 access to citizens, businesses, farms, and communities at  
9 speeds that promote economic development, employment, enhanced  
10 access to goods and services, increased educational and  
11 training opportunities, faster access to government services  
12 and health care, and improved overall information and community  
13 access for citizens.

14     DIVISION II — STATEWIDE BROADBAND COORDINATION. The  
15 division modifies provisions in Code chapter 8B, relating to  
16 the office of the chief information officer. The division adds  
17 several definitions to the Code chapter for use in the Code  
18 chapter and in other related provisions. The division defines  
19 "broadband" to mean a high-speed, high-capacity electronic  
20 transmission medium that can carry data signals from multiple  
21 independent network sources by establishing different bandwidth  
22 channels and that is commonly used to deliver internet services  
23 to the public. The division defines "broadband infrastructure"  
24 to mean the physical infrastructure used for the transmission  
25 of data via broadband, including but not limited to any  
26 equipment, systems, switches, routers, wire, cable, satellite,  
27 conduits, servers, software, technology, base transceiver  
28 station sites, or other means of transmission or communication  
29 via broadband. The division defines "communications service  
30 provider" to mean a service provider that provides broadband  
31 service. The division defines "targeted service area" to  
32 mean a United States census bureau census block located in  
33 Iowa, including any crop operation located within the census  
34 block, within which no communications service provider offers  
35 or facilitates broadband service at or above 25 megabits per

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1 second of download speed and 3 megabits per second of upload  
2 speed. The division defines "crop operation" by referencing  
3 a definition contained in Code section 717A.1 as meaning  
4 a commercial enterprise where a crop is maintained on the  
5 property of the commercial enterprise. Additionally, the  
6 division adds broadband and broadband infrastructure to an  
7 existing definition of "information technology".

8 The division adds to the powers and duties of the chief  
9 information officer streamlining, consolidating, and  
10 coordinating access to and availability of broadband and  
11 broadband infrastructure throughout Iowa.

12 The division provides that the determination of whether  
13 a provider's download and upload speeds are being met for  
14 purposes of the definition of "targeted service area" shall be  
15 by reference to broadband availability maps or data sources  
16 identified by the office by rule. The division directs the  
17 office to establish procedures to allow challenges to claims  
18 that the threshold download or upload speeds are being met.

19 The division establishes a connecting Iowa farms, schools,  
20 and communities grant program and fund. The division requires  
21 the office of the chief information officer to establish a  
22 broadband grant program to award grants to communication  
23 service providers that reduce or eliminate targeted service  
24 areas. The division establishes a fund, consisting of moneys  
25 appropriated to it or appropriated to the office or otherwise  
26 available to the office for purposes of the grant program. The  
27 moneys in the fund are appropriated to the office of the chief  
28 information officer. The bill provides that communication  
29 service providers may apply to the office for a grant. The  
30 division requires the office to award grants on a competitive  
31 basis using criteria established by the office by rule.

32 The division also adds to the powers and duties of the chief  
33 information officer the responsibility for coordinating a new  
34 fiberoptic network conduit installation program to facilitate  
35 incorporation of fiberoptic network conduit installations, as

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1 defined by the bill, into state-funded construction projects  
2 or by state-owned infrastructure. The division provides that,  
3 subject to funding from the general assembly, the office  
4 may contract with a third party to manage, lease, install,  
5 or otherwise provide fiberoptic network conduit access, and  
6 the program shall not prohibit the office from purchasing or  
7 installing fiberoptic cable within fiberoptic network conduit  
8 installed pursuant to the program.

9 Additionally, the division specifies expeditious response  
10 requirements regarding the approval, modification, or  
11 disapproval of nonwireless broadband-related permits. The  
12 division provides that, notwithstanding any other provision to  
13 the contrary, a political subdivision vested with permitting  
14 authority shall approve, approve with modification, or  
15 disapprove nonwireless broadband-related permits within 60  
16 business days following the submission of a permit application  
17 and fee. In the event that no action is taken during the 60-day  
18 period, the application shall be deemed approved.

19 The division also requires the chief information  
20 officer to prepare an annual report regarding the status of  
21 broadband expansion and coordination, and adds the chief  
22 information officer to the Iowa telecommunications and  
23 technology commission which oversees the operation of the Iowa  
24 communications network and to the statewide interoperable  
25 communications system board established in Code section  
26 80.28. The division makes corresponding changes. Further,  
27 the division adds an additional member to the board who is an  
28 emergency medical care provider, and eliminates a provision  
29 that required the commission to consult with the director  
30 of the department of administrative services and the chief  
31 information officer when appointing the commission's executive  
32 director.

33 For fiscal year 2015-2016, the bill requires the department  
34 of management to transfer \$3 million from the state bond  
35 repayment fund to the connecting Iowa farms, schools, and

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1 communities broadband grant fund. For fiscal years 2015-2016  
2 and 2016-2017, the bill requires the department of management  
3 to transfer \$2 million each year from the rebuild Iowa  
4 infrastructure fund to the connecting Iowa farms, schools, and  
5 communities broadband grant fund.

6 DIVISION III — PROPERTY TAX INCENTIVES AND ASSESSMENT. The  
7 division provides a property tax exemption for installation  
8 of broadband infrastructure within a targeted service area,  
9 which installation is commenced and completed on or after July  
10 1, 2014. The exemption shall be a 100 percent exemption from  
11 taxation for a period of three years based on the actual value  
12 added by the installation of the broadband infrastructure.  
13 The division specifies procedures relating to applying for  
14 the tax exemption with the county board of supervisors within  
15 which the broadband infrastructure is located, granting the tax  
16 exemption, and assessing the property of companies receiving  
17 the exemption.

18 The division applies to assessment years beginning on or  
19 after January 1, 2016. The division provides that property  
20 owners seeking an exemption for installation of broadband  
21 infrastructure commenced between July 1, 2014, and the  
22 effective date of the division of the bill must certify to  
23 the local assessor that the installation of the broadband  
24 infrastructure took place within a targeted service area prior  
25 to applying for an exemption. All other property owners  
26 must certify to the local assessor prior to commencement of  
27 the installation. The division also provides that property  
28 owners seeking an exemption for the installation of broadband  
29 infrastructure commenced and completed between July 1, 2014,  
30 and December 31, 2014, shall first file an application for an  
31 exemption with the county board of supervisors by February 1,  
32 2016, or the following two assessment years. An exemption  
33 filed pursuant to this provision of the division is allowed for  
34 three years.

35 Code section 25B.7 provides that for a property tax credit

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1 or exemption enacted on or after January 1, 1997, if a state  
2 appropriation made to fund the credit or exemption is not  
3 sufficient to fully fund the credit or exemption, the political  
4 subdivision shall be required to extend to the taxpayer only  
5 that portion of the credit or exemption estimated by the  
6 department of revenue to be funded by the state appropriation.  
7 The division provides that Code section 25B.7 does not apply to  
8 the property tax exemption created under this division.  
9 DIVISION IV — INFORMATION TECHNOLOGY INFRASTRUCTURE FOR  
10 EDUCATION. The division provides that school infrastructure  
11 for purposes of statewide school infrastructure funding  
12 includes the acquisition or installation of information  
13 technology, as defined in the division.